



AGENDA

CALL TO ORDER

Pledge Allegiance to the Flag (LS)

Moment of Silence

ADOPTION OF AGENDA

APPROVAL OF THE MINUTES

1. Approval of the Minutes of June 14th Town Council, June 27th Work Session, and July 12th Town Council Meetings.

CONSENT AGENDA

2. Rescinding the State of Emergency Order (Ryan Spitzer)

PUBLIC COMMENT

PUBLIC HEARING – none

OLD BUSINESS - none

NEW BUSINESS

3. Finance Report (Chris Tucker)
Budget Amendments (Chris Tucker) - **ACTION ITEM**
Adoption of new Covid Policy (Linda Gaddy) - **ACTION ITEM**
Outdoor Fitness Equipment Location (Matthew Jakubowski) - **ACTION ITEM**
EB 5949 Award Letter (Travis Morgan) - **ACTION ITEM**

MANAGER'S REPORT

MONTHLY STAFF REPORTS

- 4. Public Works
- Parks and Rec
- Police Dept
- PCS
- Planning & Zoning
- Human Resources

CALENDARS FOR COUNCIL

- 5. September

CLOSED SESSION

- 6. per NCGS 143.318.11 (a)(5) - to discuss a real estate matter.

ADJOURN

Lisa Snyder is inviting you to a scheduled Zoom meeting.

Topic: My Meeting

Time: Aug 22, 2022 06:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us05web.zoom.us/j/82793110636?pwd=bUdtMmluQk9ISjBDOEFpYk4vaEgwUT09>

Meeting ID: 827 9311 0636

Passcode: JGZdV9

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Lisa Snyder, Clerk of Council, at 704-889-2291 or lsnyder@pinevillenc.gov. Three days' notice is required.



TOWN COUNCIL REGULAR MEETING
PINEVILLE HUT MEETING FACILITY
TUESDAY, JUNE 14, 2022 AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor Jack Edwards called the meeting to order @ 6:30 pm.

Mayor: Jack Edwards
 Mayor Pro Tem: Ed Samaha
 Council Members: Les Gladden, Amelia Stinson-Wesley, Chris McDonough
 Town Manager: Ryan Spitzer
 Town Clerk: Lisa Snyder
 Planning & Zoning Director: Travis Morgan

PLEDGE ALLEGIANCE TO THE FLAG

Mayor Jack Edwards announced that Girl Scouts Troop #3672 led everyone in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Jack Edwards asked that we remember the people who serve you every day, our police, fire and emergency personnel. These are times to be tested by everybody.

ADOPTION OF AGENDA

Council Member Les Gladden advised that he had one change: remove #13 under New Business, Asset Forfeitures and Expenditures until our Finance Director has had a chance to review them. Council Member Chris McDonough moved to accept the Agenda with the change made by Council Member Les Gladden, and a second was made by Council Member Amelia Stinson-Wesley to adopt the Agenda. The Agenda was adopted. (**Approved 4-0**)

APPROVAL OF MINUTES

The Minutes of the May10, 2022 Council Meeting and May 23, 2022 Work Session were presented for approval. A motion was made to approve the Minutes by Mayor Pro Tem Ed Samaha and a second made by Council Member Les Gladden. (**Approved 4-0**).

CONSENT AGENDA

There were six items on the Consent Agenda. Mayor Edwards asked Council if there was anything listed on the Consent Agenda that needed to be discussed individually. Council Member McDonough moved to accept the Consent Agenda as is with a second made by Council Member Stinson-Wesley. (**Approved 4-0**)

PUBLIC COMMENT and BOARD UPDATES

Girl Scouts. Girl Scout members Madison Fennell, Maya McAllister and Eleanor Smith are with Troop #3672 and did a presentation for the Town. Girl Scout Brooke Robinson could not attend this presentation because she was away at church camp. The Girl Scouts are presenting this project for a Silver Award. It is meant to make our community better. The path will be located at Pineville Lake Park. Their plan is to paint the sidewalk with enrichment activities designed for young kids. The cost is approximately \$300, for supplies, but it will be free to the Town of Pineville due to their cookie money. The space they

are looking at is at the Belle Johnston Center. They plan to finish the project by the end of summer. Parks and Rec Director, Matt Jakubowski, added that he thinks it's a great idea and stated that it was done in McCullough and was a huge success. Council concurred that they liked the idea.

Public Comment

John Holibinko, Chamber of Commerce. Mr. Holibinko introduced Nick Ratchev, with Hope Soccer Ministries, who is also his web master, and wanted to share the latest that they have been doing on their website. The site now contains tips on how to find a home in Pineville, how to enroll children in school, resources for moving to Pineville, how to get utilities, benefits for Pineville residents, are among several new items listed on their site. Hope Soccer Ministries provides scholarships for kids in need and allows them to play for free.

Jane Shutt, Pineville Neighbors Place. Ms. Shutt shared some highlights since the last Council Meeting. On May 21st, volunteers delivered 21 food boxes to neighbors at The Pines at Carolina Place. One June 2nd, they hosted a mobile food pantry in partnership with Second Harvest Food Bank at Sterling Elementary, serving 720 people. They are beginning to collect new backpacks and school supplies for the beginning of the next school year. They appreciate any donations. Pineville Neighbors Place is actively helping our neighbors find housing, in addition to Social Serve and Ramp Charlotte is helping them pay rent. Ms. Shutt met with Pineville Police, Hearts of the Invisible and Hearts Beat as One to discuss unsheltered, homeless neighbors in our community. They plan to work together to achieve their goals of permanent housing.

Board update by Council Member Stinson-Wesley. Council Member Stinson-Wesley sits on the Centralina Council of Government. They connect the area of governments. Centralina.org contains information about the board. This board helps Towns find grants and helps the staff apply for the grants, especially federal funding. They offer many services for the aging, as well as those who care for the aging, and have expanded their services to workforce development to show where the jobs are. Their legislative liaison keeps them up-to-date with updates from the House and Senate that would affect municipalities. They can facilitate retreats for staff and Town councils, assist with recruitment, community surveys, and they are also an advocacy agency for the aging population. Their main focus for the next year is for the Connect Beyond Project which is regional planning regarding transportation and mobility. She is always available as a resource to help make any connections. Mayor Edwards added that they are involved in a host of things to help make government run more efficiently.

PUBLIC HEARING

We have two Public Hearings. The first is for the **Comprehensive Plan**. Council member Gladden moved to go into Public Hearing with a second made by Council Member McDonough. (All ayes).

Planning & Zoning Director, Travis Morgan thanked Council, stakeholders and residents for their feedback and the on-line surveys. The final draft Comprehensive Plan was reviewed and presented for approval. It is also presented on the Town's website, www.pinevillenc.gov/comprehensiveplan. We have been working awhile to meet the new and updated NCGS 160D related to a comprehensive land use plan.

Land Use strategy was displayed. Mr. Morgan outlined the different list-types. Key take-a-ways include citizen feedback, walkability, place types and the Heritage Trail. Jonathan Whitehurst, with Kimley Horn, added that walkability was a top citizen feedback priority. The Trail is one way it's connecting people. He also added that they are wanting to put the Plan into place by the end of this month to meet NCGS requirements.

Council Member Gladden discussed walkability and added that it will be included in the Miller property plans and keep and increase walkability. Council Member Stinson-Wesley also added that the Heritage Trail, that's being proposed, is one of her favorite parts of the Plan. She likes that we're showing our history to those that are coming here.

Council Member Stinson-Wesley moved to close the public hearing for the Comprehensive plan and a second was made by Mayor Pro Tem Ed Samaha. (All ayes)

Mayor Pro Tem Samaha moved to open the public hearing to purchase property on Industrial Drive for an electrical substation followed by a second made by Council Member Gladden. (All ayes)

Town Manager Ryan Spitzer discussed the need to purchase property for a third substation. With all the industrial and residential development that we've been adding it has been realized that we need to add one this at this time. The property is 1.6 acres. They chose this location because it's near the Duke transmission line, where we draw our power from. They are currently working with the property owner to obtain an easement to the property line. We've done our due-diligence and have an agreement, which is included in this packet. This substation will also give us redundancy for our power system. We had planned to build in 10 years but due to all of the growth, we feel it's needed at this time.

Council Member McDonough moved to close the public hearing for the purchase of an electric substation with a second made by Council Member Stinson-Wesley. (All Ayes)

Miller Farm. Planning & Zoning Director Travis Morgan said that this is a continuation of the public hearing of the Miller Farm conditional rezoning, across from McCullough, from last month. He displayed a map and explained that the areas in red, southwest, will be retained by the family (owner). He noted the two pieces not included in the plan, property along Nations Ford Road and along Highway 51 and the state line. The plan consists of 340 units (242 single-family and 98 townhomes). There are three access points. Stoplight and pedestrian crossings will be at the Miller Road connection. At Marfield, there will be no vehicular full-through movement, but has been revised to provide dual-protected lefts within the existing median as shown. Both Staff and DOT recommended the Miller Road as the stoplight/intersection location.

Mr. Morgan also outlined the open space dedicated to the Town in and around the proposed development. The front linear park will be developed and rear portion will have two full access points in the areas generally shown on the plan with any dedicated easement needed to connect into the adjacent new roadway. Mr. Morgan displayed photos of the products in a street-view format. He also highlighted the benefits to the Town, which include dedicated open spaces, creation of the water loop, sidewalks and pedestrian crossings.

A resident (name unknown) asked where the grocery stores will be? Mr. Morgan replied that we have existing stores that can be used, the proposal thus far was for residential units only. Melissa Davis commented on back-up traffic in this area. She noted added traffic. She brought up Pennies for Progress and that it's been going on for years. Mr. Morgan replied that congestion is the problem there and the Town has been waiting for quite some time for South Carolina to fix their side of the roads in that area. The developer added that it will be 6 to 7 years from now before the development is finished and they have been in contact with Pennies for Progress and they indicated that they will have their improvements within that time.

A McCullough resident (name unknown) said that having no left-turn leaving McCullough will only leave one exit leaving McCullough, even with a light at Miller Road at 5:00 in the afternoon, should be reconsidered. Mr. Morgan noted the left turns are more dangerous and restricted. A stoplight at every point was not warranted pending final NCDOT approval. Miller Road was selected for the stoplight due to alignment with the most dense parts of each development and to prevent funneling South Carolina traffic through the less dense parts of McCullough. He understood, but ultimately it will be DOT's call on what is warranted.

Resident Jane Shutt, asked what are the anticipated price points of the new homes in this area. Mr. Morgan replied that prices are up to the developer. The developer anticipated that they will be at or above the McCullough homes.

A resident (name unknown) asked if the schools will be able to handle the additional homes. Mr. Morgan replied yes, that CMS (Charlotte Mecklenburg Schools) should be able to handle this. Resident Melissa Davis said they'd have to either add more units or build another school. Council Member Stinson-Wesley said that there would be room to absorb more children in mobile units but they would be put on the ball fields. There would be more densely-populated trailers on the fields, as well.

Council Member Gladden added that when the project first began, the project consisted of 503 homes. Council and Staff have considered the SC issues but didn't see the legal ability to be able to deny someone's right to development based on another state making their move. The number of homes was taken down to 340 units. He further stated that Mr. Morgan and Council tried to develop a place that enhanced the Town with walking and sidewalks in mind. They worked to lessen the impact and make it as viable as possible. They continued the hearing to tonight to try and get more comments/suggestions from residents. He appreciated those who attended tonight.

In accordance with NCGS 160D: upon review and consideration, the proposal is found consistent with the Pineville Comprehensive Plan.

Council Member McDonough moved to close the public hearing on Miller Farm with a second made by Mayor Pro Tem Samaha. (All Ayes)

Council Member Gladden moved to approve going from an R44 to an RMX for residential only with the statement that all elevations for the single-family homes will come through Mr. Morgan for approval, before they're allowed to be put in the ground, with a second made by Mayor Pro Tem Samaha. (**Approved 4-0**)

Mayor Edwards commented that we could have had Amazon sitting on 51 or another manufacturing plant, but the Millers chose to take less money and they could have sold their property to Beacon and had all commercial, but they were very respectful of what the Town wanted and took less money for it. He is aware that there will be traffic. People want to come to Pineville. He added that we cannot tell a builder to build low-cost homes. Council Member Stinson-Wesley noted it is a difficult issue. Housing mandates, or "inclusionary zoning" at this time are restricted at the State level and not granted at the local level.

NEW BUSINESS

Application for Board of Adjustment. Mr. Calvin Hallman, Jr. submitted an Application for the BOA Board. Council Member Gladden moved to accept Calvin Hallman, Jr. with a second made by Council Member Stinson-Wesley. (**Approved 4-0**)

Purchase of the property on Industrial Drive. Mayor Pro Tem Samaha moved to approve the purchase of the 1.6 acres of property at 10306 Industrial Drive for an electric substation, for a cost of \$275,000, with a second made by Council Member McDonough. (**Approved 4-0**)

Contract for IT services with VC3. Mr. Spitzer stated that his committee interviewed 3 vendors and VC3 came back as the one that most people wanted. They're a large company and supported by the NCLM. They can provide 24/7 service to the Town. All tech support will come from Columbia, SC and they will begin after we move into the new Town Hall. The contract is \$2,000 more than the current contract and is for a 5-year term. A motion was made to approve the contract with VC3 by Council Member Gladden and seconded by Mayor Pro Tem Samaha. (**Approved 4-0**)

Contract with Stewart, Art, Cooper & Newell for architect services for Fire Dept. Mr. Spitzer reported that 6 firms had submitted bids for the Fire Dept and they selected 2 to choose from. This contract mirrors the contract for the new Town Hall with the architect for bearing 8% of the cost to build the new facility. A cost of \$550 per square foot was used and the building will be approximately 20,000 square feet. The contract is for \$880,000. A motion to approve the contract with this firm was made by Council Member Gladden and seconded by Council Member Stinson-Wesley. (**Approved 4-0**)

Vote on Budget FY 22-23. Town Manager Ryan Spitzer reviewed the proposed Budget to Council. They went back and looked at how we calculated the PD salaries for officers, and found historically did 2080 hours instead of 2184. The salary line item was adjusted to reflect the change. This increased the General Budget from \$16,600.00 to \$16,800.00 million. He added that we are not recommending a tax increase this year. We are not proposing any electric fee increase this year. A motion to approve the FY 22-23 Budget was made by Council Member Stinson-Wesley and a second was made by Council Member McDonough. (**Approved 4-0**)

August Council Meeting. Council Member Stinson-Wesley moved to reschedule the August Council Meeting to have in conjunction with the August 22nd Work Session and a second was made by Mayor Pro Tem Samaha. (**Approved 4-0**)

Approval of Comprehensive Plan. Council Member Stinson-Wesley moved to approve the Comprehensive Plan as presented with a second made by Council Member McDonough. (**Approved 4-0**)

Girl Scouts Proposal. Council Member Stinson-Wesley moved to accept the Girl Scouts' proposal as stated in public comment tonight with a second made by Mayor Pro Tem Samaha. (**Approved 4-0**)

MANAGER'S REPORT

Mr. Spitzer reported that we did the walk-through today and should receive our Certificate of Occupancy in the middle of July and we will move into the new Town Hall by the middle of August. We will have our first Council Meeting in the new Town Hall in September. As we move in, the fountain project should be completed. As stated earlier, the Library will move in 3 months later.

He gave an update on ETJ. The County's timeline is that they are going to continue to discuss with us what the \$809,000 is for, and will present to their board in the Fall, for them to fund the initial year of the \$809,00 for us to hire people to begin with officer in the ETJ in January to mid-May.

The Post Office. Purchase of the post office is part of our College deal with the developer. Our contract says that we are required to give them 365 days' notice that they have to move. A letter has to be sent to the real estate group of the post office to get the ball moving to look for another location. US Development has agreed to house the post office. The post office thinks they only need about 1,800 square feet. Mr. Spitzer will send the letter this week. Once they receive that, they can begin looking for properties. There is a federal law that says if they don't find a place, that they have the option of staying put.

Council briefly discussed what the start time should be for the August meeting and agreed to start at 6:00 pm.

ADJOURNMENT

Motion was made by Mayor Pro Tem Samaha to adjourn followed by a second made by Council Member Stinson-Wesley. (**Approved 4-0**) The meeting was adjourned at 8:45 pm.

Mayor Jack Edwards

ATTEST: _____
Lisa Snyder, Town Clerk

Mayor

Jack Edwards

Mayor Pro Tem

Ed Samaha

Town Manager

Ryan Spitzer

**Town Council**

Les Gladden
 Amelia Stinson-Wesley
 Chris McDonough

Town Clerk

Lisa Snyder

**WORK SESSION MINUTES
 MONDAY, JUNE 27, 2022 AT 6:00 PM
 PINEVILLE COMMUNICATIONS BLDG**

The Town Council of the Town of Pineville, NC, met in a Work Session on Monday, June 27, 2022 @ 6:00 p.m.

ATTENDANCE

Mayor: Jack Edwards

Mayor Pro Tem: Ed Samaha

Council Members: Les Gladden, Chris McDonough, Amelia Stinson-Wesley

Town Manager: Ryan Spitzer

Town Clerk: Lisa Snyder

Planning & Zoning Director: Travis Morgan

Public Works Director: Chip Hill

Mayor Jack Edwards called the meeting to order at 6:00 p.m. Mayor Pro Tem Ed Samaha made a motion to open the meeting and Council Member Amelia Stinson-Wesley seconded the motion. There were ayes by all and the meeting opened.

CELL TOWER AT CAROLINA SPORTSPLEX

Planning & Zoning Director Travis Morgan reviewed the items for discussion regarding the property at 13333 Dorman Road. Applicant Pat Troxell-tant of Vogue Towers seeks Council's consideration for a new 180-foot monopole cell tower and associated 25' x 65' fenced equipment area. The tower will be located on the back part of the property. Mr. Morgan shared a current diagram with listed coverage, the tower height, zoning and location. The proposal would be a modification of the existing Sportsplex site specific conditional zoning approval. The tower will be a significant distance away from the other homes and structures outside of the Sportsplex and surrounded by a wooded area, but the top of the tower would likely be seen from a distance. Ms. Pat Troxell-Tant, CEO of Vogue Towers, attended the meeting, as well, and added that the tower is a five-year lease with seven 5-year renewals. She is proposing a monopole version of the tower. They will co-locate according to the Town ordinances and to cut down on oversaturation. Ms. Troxell-Tant added that engineers who looked at the property being discussed, stated that the surrounding land is sufficient to hold the tower and that the towers are built to their standards. The only additional development would be what the Sportsplex adds or improves.

Mr. Morgan said that regarding the former church property, now owned and utilized by the Sportsplex, that Staff would request that this site be brought up-to-date and into zoning compliance regarding items such as parking lot landscaping, sidewalks and similar improvements. He touched on a conditional note from the original Sportsplex approval where council had wanted taxes paid at a regular rate that had not been met 2019 and onward. From 2019, the Sportsplex had been granted an exempt status via Mecklenburg County. The last tax bill from 2018 listed a Pineville tax amount

of \$2,737.14. Mr. Morgan inquired about the Police/Fire/EMS use on the new tower facility. Ms. Troxell-Tant replied that she is a big supporter of those services and that they would provide a free space for those accommodations within the design. Mayor Pro Tem Samaha asked if Sportsplex pays taxes? Council Member Les Gladden added that either they pay taxes or they get their approval rescinded. It's right there in the minutes. They don't have their turn lanes they were supposed to put in, they're not having police presence on Saturdays like they're required to do as in the minutes when they have a big tournament going on there. As far he's concerned, until they settle their tax agreement as part of their original agreement, we don't need to talk about anything else. How can they come into another agreement until they answer the first one? It's horrendous that the lady came and asked for money, and they still owe us money.

Mr. Dan Saltrick attended on behalf of the Soccer Academy, where they play at the Sportsplex. He asked if the Sportsplex is to pay taxes to the Town of Pineville to which Town Manager Ryan Spitzer replied, "yes." Mayor Edwards asked if the County determines they don't have to pay taxes, who overrules who? Mr. Morgan replied that the County would take precedent on that.

Mr. Saltrick said that the ultimate goal of the Sportsplex is to redevelop the former church property. They'd like to bring everything up-to-code with the sidewalk, grading, utilities, parking lot and to meet the ordinance and do so in a cost-effective way.

Council Member Gladden asked Mr. Morgan if we can bond it and give them three years to pay? Mr. Morgan replied "yes, that can be done." This would be a good compromise. Council Member Amelia Stinson-Wesley said that she is appreciative of the cell tower's generosity of the fire and police; this is a big community partner and having it on the back is a huge accommodation. She still, however, has some concerns about the Sportsplex as an entity. She doesn't always feel that they're a good community partner. Mayor Pro Tem Samaha asked about the tax issue and Mr. Morgan replied that the last tax bill they had generated in 2018 was for \$2,737.14. Mayor Edwards asked Mr. Saltrick to have someone from the Sportsplex come to our meeting.

PRESENTATION ON PROPOSAL FOR CONE & DOVER

Public Works Director Chip Hill led the presentation and was accompanied by Bonnie Fisher, who is an engineer with LaBella. Bonnie outlined options for the Cone Memorial to Council and shared that the designs were drawn up by one of their architects. Council Member Gladden asked if the U-shape bench in front of the potential memorial be facing the other direction, to which Ms. Fisher replied "yes." Mayor Pro Tem Samaha asked about memorialize the family members by putting the names on the bricks. Mr. Spitzer replied that we have plaques in Town Hall which are updated when we are notified about the passing of someone who worked for the Mill. Mr. Hill added that we can have someone engrave them (the bricks). Mayor Edwards suggested that we could have people donate, so that all of the family members can be involved.

Ms. Fisher outlined the various plans and costs. Mr. Hill added that some of his guys could do some of the work to save on costs. Mr. Spitzer summarized the estimated costs this way: \$69,900 to start the project, \$125,000 for the memorial, \$188,000 for the parking lot and sidewalks, for a total of approximately \$382,000 for the memorial.

Ms. Fisher led the discussion on the Dover Street and Cone Avenue proposal. \$61,000 cost includes 70% of the construction drawings. A big part of the project is the storm drainage. The pipes at the bottom of Dover Street, need to be upsized as they're too small now; this is included in this number surveying for an easement is in its price. Mr. Spitzer added that we want to get the road lines set to our standards and the Town's right-of-way in now.

Mr. Hill addressed the Mayor's question about the tree. Mr. Hill had an arborist come in and look at it and made a recommendation. He said it's showing some decay and may have some roots under the street. He said we do not want to cut it down but it does need work. Mr. Spitzer added that we are not going to cut it down. The cost to clean it

up would be approximately \$7,000. The Mayor added that we need to let any developer who is interested know what we expect.

Mr. Spitzer suggested that at the next Council Meeting that a motion is made to take money out of the fund balance; this would be a budget amendment. A vote would need to be made if Council wishes to do the survey work. All Council members were in agreement to proceed but there was no official vote taken. Council Member Stinson-Wesley wanted to back up to the tree and asked what the arborist recommended for a time-frame to get the work done. Mr. Hill replied that it can be whenever, but it is a safety issue because there will be a park underneath it. Mr. Spitzer summarized that it looks like we'll need the \$61,000 for the street realignment and the \$43,340.

CONE REDEVELOPMENT PLAN

Planning & Zoning Director Travis Morgan reviewed the Plans for Cone Mill with Council. He noted that we kept the original Cone Mill buildings and the tower. The primary emphasis is creating a Main Street feel with wide sidewalks and street-front buildings along the first portion of Dover Street with interconnected internal street network and parking adjacent to the railroad tracks. He added that he tried to take the best from each of the Plans.

Council Member Gladden asked what to do about the water tower. He talked to someone who is familiar with water towers and they told him that it will fall someday as it is rusting and deteriorating. Town Manager Spitzer said that there are people who inspect water towers and can give us an estimate of what it would cost to fix.

Mr. Spitzer advised that there is someone interested in the property and Council can listen to them at the next Council Meeting or end out an RFP to developers and have them send in their ideas. The developer wants to come to the July meeting and present their plan to Council. Council can listen and then decide what they want going forward. Council Member Stinson-Wesley replied that she would like for Mr. Spitzer to send out an RFP and get a variety. She wants us to emphasize that we want to preserve the current structures.

Mayor Edwards said that we will have the first presentation at the July meeting.

(A brief break was taken before entering Closed Session at 7:35 pm).

A motion to close the Work Session was made by Council Member Gladden with a second made by Council Member Chris McDonough. (***Motion passed 4-0***)

The Work Session closed at 8:03 pm.

Jack Edwards, Mayor

ATTEST:

Lisa Snyder, Town Clerk



TOWN COUNCIL REGULAR MEETING
PINEVILLE HUT MEETING FACILITY
TUESDAY, JULY 12, 2022 AT 6:30 PM

MINUTES

CALL TO ORDER

Mayor Jack Edwards called the meeting to order @ 6:33 pm.

Mayor: Jack Edwards

Mayor Pro Tem: Ed Samaha

Council Members: Amelia Stinson-Wesley, Chris McDonough

Council Member: Les Gladden (via Zoom call),

Town Manager: Ryan Spitzer

Town Clerk: Lisa Snyder

PLEDGE ALLEGIANCE TO THE FLAG

Council Member Amelia Stinson-Wesley led everyone in the Pledge of Allegiance.

MOMENT OF SILENCE

Mayor Jack Edwards said God Bless our military, our firefighters, our first responders, pray for our churches and our police officers. Remember our country in your prayers and the freedoms that we have. Remember why we're here and that freedom isn't free and is costly.

ADOPTION OF AGENDA

Mayor Edwards said that #8, Acquisition of Easement on Lynnwood/Lakeview, is being delayed due to not getting information pertaining to the property owner, the Town, and ourselves, so that will be postponed until a later date. Mayor Pro Tem Ed Samaha moved to approve the Agenda with the change presented with a second made by Council Member Chris McDonough to adopt the Agenda as stated. The Agenda was adopted (**Approved 4-0**).

APPROVAL OF MINUTES

(There were no minutes presented to be approved).

CONSENT AGENDA

Mayor Edwards advised that on the Consent Agenda are four items: Finance Report & Notifications, Appointment of Mecklenburg County as Tax Collector, Resolution for Surplus Items, and Resolution for Ratifying Updated Charter for Centralina Regional Council. Council Member Stinson-Wesley moved to approve the Consent Agenda as presented with a second made by Council Member McDonough. (**Approved 4 – 0**)

BOARD UPDATES and PUBLIC COMMENT

Mayor Pro Tem Ed Samaha gave a report on his committee, the Mecklenburg Municipal Advisory Group. The Board is made up of several small towns, including Pineville. They are part of the Charlotte-Mecklenburg School system. They are currently looking at the Capital Needs Assessment over the next ten years. There are currently 145 projects in the amount of \$5.43

billion dollars. He asked Dennis Lacaria to attend this evening and give a presentation of the Assessment and how they give points to each project and how they determine the final spread. He invited Dennis Lacaria to come and speak tonight.

CMS Presentation, Dennis Lacaria. Mr. Lacaria gave a power point presentation for CMS. The purpose is to get a successful bond referendum in November, 2023. He will be doing this presentation in-person, virtual and hybrid sessions through the end of this year at the Town Halls. The last state school bond was in 1999. He outlined the Capital Needs Assessment (CNA) and said that it is the result of an annual process which produces a list of prioritized projects that need to be accomplished in the next ten years. External and internal factors were outlined and all must be considered. Certain choices will render some classrooms and schools automatically inequitable by definition. Some choices will impact school site and size. Buildings must be replaced, or a campus master-planned, to ensure that buildings can be connected by interior corridors. Some schools may have been considered for renovations and additions will instead be programmed as replacement projects. Schools at the edges of, or even outside, the City of Charlotte, may be prioritized for replacement, rather than renovation. Mr. Lacaria further discussed the rubric, centering equity, of the plans. It is essential that the CMS capital needs are expressed clearly and that the community understands why it matters. The draft CNA is the basis for the next phase of the work. Student boundaries and magnet programs will be key parts of the effort. Community engagement will commence immediately, with the magnet survey. The prioritized list will be refined with new information and revised with incorporated feedback, prior to being brought back to CMBE in early 2023.

Chamber of Commerce, President John Holibinko. Mr. Holibinko gave an update on what the Chamber has been doing. They have added a new section on their website called "Starting a New Business in Pineville." This section will answer many questions about starting a business in the Town, including resources needed for someone who wants to start their own business. A Pineville Business Monthly will be started in the next few months. Travis Morgan and Chief Hudgins will have articles included in there. This will be going out to over 1,000 business addresses in the Pineville area.

Jane Shutt, Pineville Neighbors Place. It was a busy June for Pineville Neighbors Place! They worked with the youth from Grace Life to complete beautification projects at Pineville Elementary during their mission week. Volunteers will be delivering 21 food boxes to our neighbors at The Pines at Carolina Place. They are also partnering with the Pineville Police to provide hotel nights for victims of domestic abuse. It is backpack time! They are requesting donations of new backpacks and school supplies. You can shop their Amazon wish list, donate money and they will shop for you or go to the store and purchase the items yourself. All of this information can be found on their website, pinevilleneighborsplace.org. In June they helped 298 people with over \$71,000. Thank you to the Town of Pineville neighbors for the continued support!

NEW BUSINESS

Appropriation of Fund Balance for Dover/Cone Realignment & Cone Memorial. Town Manager Ryan Spitzer reviewed the request to reallocate the fund balance to use funds for these items. Mayor Pro Tem Samaha moved to approve with a second made by Council Member Stinson-Wesley. **(Approved 4-0)**

Budget Amendments. Finance Director, Chris Tucker, presented two budget amendments and one grant budget ordinance for Council's consideration. Budget Amendment 2023-1 appropriates General Fund – Fund Balance towards two capital projects; Budget Amendment 2023-2 appropriates General Fund – Restricted Fund Balance towards a Transfer To Other Funds to move restricted grant monies to a special revenue fund. Ordinance 2023-2 creates the Police Special Operations special revenue fund and establishes an initial project budget.

Council Member McDonough moved to approve Budget Amendment 2023-1 with a second made by Mayor Pro Tem Samaha. **(Approved 4-0)**

Council Member Stinson-Wesley moved to approve Budget Amendment 2023-2 with a second made by Council Member McDonough. **(Approved 4-0)**

Council Member McDonough moved to approve Ordinance 2023-2 with a second made by Council Member Stinson-Wesley. **(Approved 4-0)**

PCAA, Approval of Registration Fee Increase. President C J Norman. Mr. Norman had presented a list of fee increases to Council. They are requesting approval to increase seasonal registration fees, effective Spring 2022. Pineville residents will receive a 25% discount. He added that about 15% of the participants are Pineville kids. Mayor Pro Tem Samaha moved to approve the fee increases with a second made by Council Member McDonough. (**Approved 4-0**)

OLD BUSINESS

(There was no old business).

Manager's Report. Mr. Spitzer reported the Chief and he are meeting with the County to discuss the ETJ on July 25th.

Mayor Edwards announced that we will take a 5-minute break then go into Closed Session to discuss NCGS 143.318.11(5) regarding acquisition of property.

ADJOURNMENT

Motion was made by Council Member McDonough to adjourn followed by a second made by Mayor Pro Tem Samaha. (**Approved 4-0**)

The meeting was adjourned at 9:45 pm.

Mayor Jack Edwards

ATTEST: _____

Lisa Snyder, Town Clerk

**FOURTH REVISED AND AMENDED JOINT PROCLAMATION OF THE CHAIRMAN
AND MECKLENBURG COUNTY BOARD OF COMMISSIONERS AND MAYOR OF
THE CITY OF CHARLOTTE IN CONSULTATION WITH THE MECKLENBURG
COUNTY PUBLIC HEALTH DIRECTOR AND IN CONJUNCTION WITH THE
DIRECTOR OF THE OFFICE OF THE CHARLOTTE MECKLENBURG
EMERGENCY MANAGEMENT DEPARTMENT**

WHEREAS, The North Carolina General Assembly has adopted Article 1A of Chapter 166A of the General Statutes, entitled “North Carolina Emergency Management Act”, which sets forth the authority and responsibility of the Governor, State agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies; and

WHEREAS, G.S. §166A-19.22 and G.S. §166A-19.31, which are part of the North Carolina Emergency Management Act, authorize counties and municipalities to declare states of emergency and authorizes counties and municipalities to impose prohibitions and restrictions under conditions and following procedures contained in G.S. §166A-19.22 and G.S. §166A-19.31; and

WHEREAS, the Governor of North Carolina has declared the State of Emergency on behalf of the state of North Carolina will terminate on August 15, 2022; and

WHEREAS, Mecklenburg County in conjunction with the City of Charlotte and six Towns within the County signed a Joint Proclamation of State of Emergency on March 13, 2020; and

WHEREAS, Mecklenburg County in conjunction with the City of Charlotte and the Town of Davidson and the Town of Matthews within the County have acted together to impose restrictions and guidelines to act in the best interest of the residents of the County, City, and Towns; and

NOW, THEREFORE, pursuant to the authority vested in the Chair of the Board of County Commissioners of Mecklenburg County, the Mayor of the City of Charlotte, and the Mayors of the towns of Huntersville, Cornelius, Davidson, Matthews, Pineville, and Mint Hill, under Section 19.22 of Chapter 166A of the North Carolina General Statutes, the State of Emergency in the City of Charlotte and Mecklenburg County will terminate on August 15, 2022, in conjunction with the State of North Carolina’s termination of the statewide State of Emergency.

Adopted this 15th day of August, 2022, effective immediately.



Mayor, Jack Edwards, Town of Pineville 0



Aug 18, 2022

To: Honorable Mayor and Town Council
Ryan Spitzer, Town Manager
Lisa Snyder, Town Clerk

From: Christopher Tucker, Finance Director CMT

RE: Council Information – Finance Report and Notifications through July22

For Council's information at the August 22, 2022 meeting, please find attached the finance report and notifications through July 31, 2022.

Reminder to Council that most revenues for the General Fund are not received until after Q1 due to sales and franchise taxes accruing to the previous year and tax bills not going out until September. The Town's strong cash position allows us to operate without cash flow issues.

Also of note, the Fire Dept is significantly above pace due to the pre-payment for the new apparatus. The corresponding budget amendment is included in tonight's packet for consideration.

Staff will re-present the June 30, 2022 Financials post-Q1 accruals.

Notifications –

Please find attached the Tax Collector's Settlement report for FY22 per NCGS 105-373(3). Last month, Council approved the Order of Collection for FY23.

Please also find attached a Contribution-Based Benefit Cap notification from the NC Retirement System as required by statute.

Town of Pineville
Revenue Report (Budget vs. Actual) - General Fund
For the Month Ending July 2022

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Property Tax	\$ 8,737,727	\$ 6,126	0.07%
Prepared Food Tax	692,188	-	0.00%
Room Occupancy	400,000	-	0.00%
Franchise Tax	1,000,000	-	0.00%
Sales Tax	2,416,049	-	0.00%
Storm Water	450,000	-	0.00%
Powell Bill	269,000	-	0.00%
Other	2,700,418	91,156	3.38%
Appropriated F/B	1,406,000	-	0.00%
Transfers In	192,061	-	
Total	\$ 18,263,443	\$ 97,283	0.53%
Expenditures			
Governing Board	\$ 312,545	\$ 8,456	2.71%
Administration	2,686,864	240,229	8.94%
Human Resources	310,181	13,203	4.26%
Zoning	877,548	51,722	5.89%
Police	6,451,669	528,098	8.19%
Fire	1,317,374	898,088	68.17%
Public Works	1,120,170	92,094	8.22%
Storm Water	511,101	12,087	2.36%
Powell Bill	529,500	194	0.04%
Cemetery	4,000	-	0.00%
Sanitation	692,160	50,267	7.26%
Recreation	807,534	42,360	5.25%
Cultural/Tourism	1,242,797	114,360	9.20%
Contingency	100,000	-	0.00%
Transfers Out	1,300,000	-	0.00%
OPEN ENCUMBRANCES @ 7/31/22	-	-	
Total	\$ 18,263,443	\$ 2,051,159	11.23%

Town of Pineville
Revenue Report (Budget vs. Actual) - Electric Fund
For the Month Ending July 2022

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Electric	14,433,000	1,210,297	8.39%
Expenditures			
Administration & Billing Support	545,739	33,441	6.13%
Purchased electricity	9,152,000	949,487	10.37%
Operations and Maintenance	4,735,261	3,239	0.07%
OPEN ENCUMBRANCES @ 7/8/22	-	-	
Total	14,433,000	986,167	6.83%

Town of Pineville
Revenue Report (Budget vs. Actual) - ILEC Fund
For the Month Ending July 2022

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Operating Revenues	1,282,700	207,906	16.21%
Fund Balance Appropriated	661,800	-	0.00%
Total Revenue	1,944,500	207,906	10.69%
Expenditures			
Operating Transfer Out	213,300	-	0.00%
Operating Expenses	1,263,200	106,535	8.43%
Plant under Construction	468,000	11,090	2.37%
Total	1,944,500	117,626	6.05%

Town of Pineville
Revenue Report (Budget vs. Actual) - CLEC Fund
For the Month Ending June 2022

	<u>Budget</u>	<u>Actual</u>	<u>% of Budget</u>
Revenues			
Operating Revenues	1,040,450	196,744	18.91%
Transfer from ILEC	213,300	-	0.00%
Total Revenue	1,253,750	196,744	15.69%
Expenditures			
Operating Expenses	1,046,250	103,636	9.91%
Plant under Construction	207,500	600	0.29%
Total	1,253,750	104,237	8.31%



MECKLENBURG COUNTY

Office of the Tax Collector

July 14, 2022

Ryan Spitzer, Pineville Town Manager
P.O. Box 249
Pineville, NC 28134

Re: Tax Collector's Settlement for Fiscal Year 2022 (Tax Year 2021)
Order of Collection for Tax Year 2022

Dear Mr. Spitzer:

Please find the enclosed FY 2022 Tax Collector's Settlement. We will work diligently to collect unpaid FY 2022 and other prior year taxes as we move forward with the FY 2023 billing cycle (Tax Year 2022).

According to NCGS 105-373(3), the Tax Collector's Settlement must be entered into the official record of the governing board. Please have this document entered into the record to comply with statute.

I am in receipt of your Order of Collection for Tax Year 2022 (FY 2023), and thank you for your attention to the document.

It was my pleasure to serve you, your board, and your residents again this year. Please do not hesitate to contact me with any feedback about our service during this past year.

Sincerely,



Neal L. Dixon
Tax Collector/Director

Enclosures

CC: Chris Tucker, Town of Pineville Finance Director
Shalon Page, Executive Assistant



MECKLENBURG COUNTY

Office of the Tax Collector

To: Ryan Spitzer, Pineville Town Manager

From: Neal L. Dixon, Director/Tax Collector

Date: July 13, 2022

Subject: Tax Collector's Settlement for Fiscal Year 2022

Pursuant to the provisions of N.C.G.S. 105-373, this memorandum is the Tax Collector's report of settlement to the Pineville Town Council for Fiscal Year 2022 (tax year 2021).

The total FY 2022 Real Estate, Personal Property, and Registered Motor Vehicle Tax charged to the Tax Collector for collection was \$8,208,818.32

<u>Net Levy</u>	<u>Collected</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
\$8,208,818.32	\$8,154,062.92	\$64,979.21	99.33%

At the end of FY 2022 there was 2 tax bills in the amount of \$1,590.17 under formal appeal with the Board of Equalization and Review or the Property Tax Commission; consequently, the Tax Collector was barred from pursuing collection for this tax bill. The Tax Collector was barred by the U.S. Bankruptcy Court from collecting 5 real estate and personal property tax bills totaling \$2,409.76. When the above totals, which were barred from collection, are removed from the net levy calculation, the collection percentage increases to 99.38%.

Reference is hereby made to reports in the Office of the Tax Collector that list the persons owning real property and personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. These reports are available for inspection and review upon request. The Tax Collector has made diligent efforts to collect the taxes due from the persons listed by utilizing the remedies available to him for collection.

PEOPLE • PRIDE • PROGRESS • PARTNERSHIPS

3205 Freedom Drive, Suite 3000 (28208) • P.O. Box 31457 • Charlotte, North Carolina 28231 • 980-314-4488

Tax Collector's Settlement for Fiscal Year 2022

Page 2

Prior Year Collections

During FY 2022, the Tax Collector pursued collection of delinquent prior year taxes.

Real Estate and Personal Property Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2022</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2011	\$4,720,463.82	\$58.82	\$17,853.17	99.62%
2012	\$4,816,205.89	\$603.57	\$7,240.97	99.85%
2013	\$4,849,314.67	\$53.35	\$7,615.18	99.84%
2014	\$4,879,633.60	\$50.62	\$6,618.93	99.86%
2015	\$5,556,252.11	\$243.80	\$9,147.70	99.84%
2016	\$5,651,986.35	\$49.38	\$9,871.16	99.83%
2017	\$6,339,800.59	\$202.42	\$8,730.74	99.86%
2018	\$6,515,645.82	\$1,143.91	\$10,831.07	99.83%
2019	\$7,747,347.52	\$12,108.23	\$21,666.31	99.72%
2020	\$8,024,905.77	\$26,577.59	\$48,310.56	99.40%

Registered Motor Vehicle Tax:

<u>Tax Year</u>	<u>Net Levy</u>	<u>Collected in FY 2022</u>	<u>Uncollected</u>	<u>Pct. Collected</u>
2018	\$0.00	\$0.00	\$0.00	N/A
2019	\$0.00	\$0.00	\$0.00	N/A
2020	\$0.00	\$0.00	\$0.00	N/A

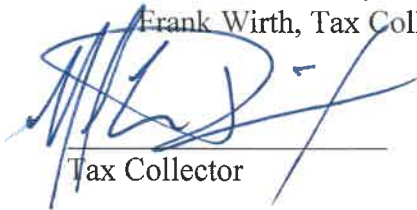
Please contact me at Neal.Dixon@MecklenburgCountyNC.gov or 980-314-4488 if you have any questions or comments regarding this settlement report.

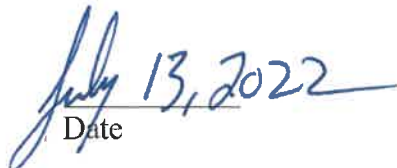
North Carolina General Statute 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body. Please ensure that this settlement is entered into the minutes of the governing body as required by statute.

cc: Chris Tucker, Town of Pineville Finance Director

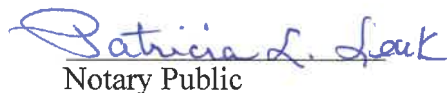
Julissa Fernández, Tax Operations Director ←

Frank Wirth, Tax Collections Director


Tax Collector


Date

Sworn to and subscribed before me this 13th day of July, 2022


Notary Public



My commission expires: June 4, 2023
Date



North Carolina Total Retirement Plans



Dale R. Folwell, CPA
STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA

RECEIVED
11-26-22

Item 3.

7/14/2022

96021 - TOWN OF PINEVILLE
ATTN: CHIEF FINANCIAL OFFICER OR BUDGET ADMINISTRATOR
PO BOX 249
PINEVILLE, NC 28134

Dear 96021 - TOWN OF PINEVILLE:

During the 2014 General Assembly session, contribution-based benefit cap legislation was enacted effective January 1, 2015. This legislation was created to control the practice of "pension spiking," in which a member's compensation substantially increases, resulting in a monthly retirement benefit that is significantly greater than the member and employer contributions would fund. The Contribution-Based Benefit Cap (CBBC) approach was created to protect each system for current and future retirees and to prevent all employers in the Retirement Systems from absorbing the additional liabilities caused by compensation decisions made by other employers. This legislation applies to members who retire on and after January 1, 2015, with an average final compensation of \$100,000 or higher (adjusted annually for inflation), and will directly impact only a small number of those individuals. It requires the member's last employer to pay the additional contribution required to fund the member's benefit in excess of the cap. [G.S. 135-5(a3); 135-4(jj); 128-27(a3); and 128-26(y)]

In order to assist employing agencies with planning and budgeting to comply with the CBBC provisions, we are required to report monthly to each employer a list of those members for whom the employer made a contribution to the Retirement System in the preceding month that are most likely to require an additional employer contribution should they elect to retire in the following 12 months. This letter and the attached report serve as our required monthly notification to your agency under this provision. [G.S. 135-8(f)(2)(f) and G.S. 128-30(g)(2)(b)]

The chief financial officer of your agency is required to provide a copy of the attached report to the chief executive of your agency, as well as to the governing body, including any board which exercises financial oversight. Additionally, the chief financial officer of a public school system is required to provide a copy of the report to the local board of education and notify the board of county commissioners of the county in which the local administrative unit is located that the report was received and how many employees were listed in the report. [G.S. 115C-436(c); 135-8(j); and 128-30(j)]

For the purpose of determining the employees of your agency that are likely to require an additional employer contribution should they elect to retire in the following 12 months, the Retirement System modified the criteria used in the CBBC calculation. This allows for a broad list of potential employees, including those whose compensation average may approach the threshold and attempts to provide your agency with prior notification of a potential cost. The attached report

lists employees of your agency who may be eligible to retire in the next 13 months (at either a reduced or unreduced benefit), whose salary is \$95,000 or greater, and whose estimated monthly retirement benefit exceeds the CBBC based on information in the employee's most recent annual benefits statement. In addition, a lower CBBC Factor (i.e., TSERS is 4.2 and LGERS is 4.4) is applied.

This list is not exhaustive, and members included on this list may or may not exceed the CBBC upon retirement, depending on a number of factors such as the member's average final compensation, the member's age at retirement, and membership service. This is merely a notification of a potential cost that your agency may be required to pay, in the form of a lump-sum payment, due after the member retirees.

For those employees hired on or after January 1, 2015, the employer is not required to pay the additional contribution to fund the member's benefit in excess of the Contribution-Based Benefit Cap. The employer has the option to pay all or part of the contribution required in excess of the CBBC; the employee also has the option to pay all or part of the contribution. However, should neither of you choose to pay this additional contribution, the employee's retirement benefit will be capped.

You can calculate the likelihood of whether the retirement benefit of a member listed on the attached report will exceed the CBBC with information available on our website at <https://www.myncretirement.com/employers/employer-training/pension-spiking>.

If you have any questions or need assistance in calculating the likelihood of a potential CBBC liability, please contact us at the address or telephone number listed below.

Sincerely,

Retirement Systems Division
N.C. Department of State Treasurer

623_PENSPK



North Carolina Total Retirement Plans

North Carolina Department of State Treasurer
Retirement Systems Division
3200 Atlantic Ave, Raleigh, NC 27604
1-877-NCSECURE (1-877-627-3287) toll-free • Fax (919) 855-5800
www.myncretirement.com

Dale R. Folwell, CPA
STATE TREASURER OF NORTH CAROLINA
DALE R. FOLWELL, CPA



CONTRIBUTION-BASED BENEFIT CAP REPORT

Agency		Member ID	Name
Members Hired Before Jan 1, 2015	96021-TOWN OF PINEVILLE	946241	MILLER, RICHARD W

* PLEASE FORWARD TO YOUR CHIEF FINANCIAL OFFICER OR BUDGET ADMINISTRATOR



August 18, 2022

To: Honorable Mayor and Town Council
Ryan Spitzer, Town Manager
Lisa Snyder, Town Clerk

From: Christopher Tucker, Finance Director CMT

RE: Council Action Request – Budget Amendment 2023-3

For Council's consideration at the August 22, 2022 Council Meeting, please find attached Budget Amendment 2023-3.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase **multiple General Fund function** appropriations in the amount of **\$430,045** for expenditures associated with open purchase orders at year end.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase **Electric Operations** appropriations in the amount of **\$1,277,000** for expenditures associated with open purchase orders at year end.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase **ILEC Telephone Operations** appropriations in the amount of **\$3,335** for expenditures associated with open purchase orders at year end.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase **CLEC Telephone Operations** appropriations in the amount of **\$36,555** for expenditures associated with open purchase orders at year end.

Staff recommends approval as presented.

TOWN OF PINEVILLE NC
BUDGET AMENDMENT #2023-3

August 22, 2022

FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
3990.0000.10	Revenue	Fund Balance Appropriated	1,406,000	430,050	1,836,050
		Total Fund Revenues	<u>18,263,443</u>	<u>430,050</u>	<u>18,693,493</u>
	Expenditure	General Government	4,187,138	214,675	4,401,813
	Expenditure	Public Safety	7,769,043	60,525	7,829,568
	Expenditure	Parks and Recreation	2,050,331	154,850	2,205,181
		Total Fund Expenditures	<u>16,963,443</u>	<u>430,050</u>	<u>17,393,493</u>
Electric Fund					
3990.0000.30	Revenue	Fund Balance Appropriated	-	1,277,000	1,277,000
		Total Fund Revenues	<u>14,433,000</u>	<u>1,277,000</u>	<u>15,710,000</u>
	Expenditure	Electric Operations	14,433,000	1,277,000	15,710,000
		Total Fund Expenditures	<u>14,433,000</u>	<u>1,277,000</u>	<u>15,710,000</u>
ILEC Fund					
3990.0000.32	Revenue	Fund Balance Appropriated	661,800	3,335	665,135
		Total Fund Revenues	<u>1,944,500</u>	<u>3,335</u>	<u>1,947,835</u>
	Expenditure	ILEC Operations	1,944,500	3,335	1,947,835
		Total Fund Expenditures	<u>1,944,500</u>	<u>3,335</u>	<u>1,947,835</u>
CLEC Fund					
3990.0000.42	Revenue	Fund Balance Appropriated	-	36,555	36,555
		Total Fund Revenues	<u>1,253,750</u>	<u>36,555</u>	<u>1,290,305</u>
	Expenditure	CLEC Operations	1,253,750	36,555	1,290,305
		Total Fund Expenditures	<u>1,253,750</u>	<u>36,555</u>	<u>1,290,305</u>

DESCRIPTION: To increase Fund Balance Appropriated revenue and appropriate towards open encumbrances

Mayor

Budget Officer



Town Clerk

Finance Director



August 18, 2022

To: Honorable Mayor and Town Council
Ryan Spitzer, Town Manager
Lisa Snyder, Town Clerk

From: Christopher Tucker, Finance Director CMT

RE: Council Action Request – Budget Amendment 2023-4

For Council's consideration at the August 22, 2022 Council Meeting, please find attached Budget Amendment 2023-4.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase the **Public Works function** appropriation in the amount of **\$469,645** for expenditures associated with restricted Powell Bill expenditures.

Staff is recommending two concurrent actions with this request. Staff recommends bringing forward the restricted fund balance as presented. Additionally, staff recommends reducing the Powell Bill division by \$260,500 and increasing the Streets division by \$260,500. This can be performed at the staff level since it is within the same function.

These actions will align the budget of the Powell Bill division with its restricted fund balance and its expected FY23 distribution. ($\$469,645 + \$269,000 = \$738,645$).

In a following action item, the Streets department is in need of \$400,000 for the Lowry Street project. By moving the \$260,500 here, the subsequent action only requires \$139,500.

Staff recommends approval as presented.

TOWN OF PINEVILLE NC
BUDGET AMENDMENT #2023-4
August 22, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
3990.0000.10	Revenue	Fund Balance Appropriated	1,836,050	469,645	2,305,695
		Total Fund Revenues	<u>18,693,493</u>	<u>469,645</u>	<u>19,163,138</u>
	Expenditure	Public Works	2,856,931	469,645	3,326,576
		Total Fund Expenditures	<u>18,693,493</u>	<u>469,645</u>	<u>19,163,138</u>

DESCRIPTION: To increase restricted Fund Balance Appropriated revenue and appropriate towards restricted Powell Bill Expenditures

 Mayor

 Budget Officer



 Town Clerk

 Finance Director



August 18, 2022

To: Honorable Mayor and Town Council
Ryan Spitzer, Town Manager
Lisa Snyder, Town Clerk

From: Christopher Tucker, Finance Director CMT

RE: Council Action Request – Budget Amendment 2023-5

For Council's consideration at the August 22, 2022 Council Meeting, please find attached Budget Amendment 2023-5.

The purpose of the budget amendment is to increase **Fund Balance Appropriated** revenue and increase the **Public Works function** appropriation in the amount of **\$139,500** for expenditures associated with Lowry Street project expenditures and increase the **Public Safety function** appropriation in the amount of **\$55,000** for expenditures associated with a replacement vehicle for the Fire Department.

Public Works and the Fire Department are requesting appropriations from the previous year that had not been formally encumbered via Purchase Order.

Public Works has stated \$400,000 is needed for the Lowry Street project. In the previous action item for BA23-4, staff has recommended shifting \$260,500 of appropriation towards Streets and this action will bring forward the remainder.

Fire has stated that in FY22, they were provided guidance from Council to replace a damaged vehicle in the amount of \$55,000.

Staff recommends approval as presented.

TOWN OF PINEVILLE NC
BUDGET AMENDMENT #2023-5
August 22, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
3990.0000.10	Revenue	Fund Balance Appropriated	2,305,695	194,500	2,500,195
		Total Fund Revenues	<u>19,163,138</u>	<u>194,500</u>	<u>19,357,638</u>
	Expenditure	Public Safety	7,829,568	55,000	7,884,568
	Expenditure	Public Works	3,326,576	139,500	3,466,076
		Total Fund Expenditures	<u>19,163,138</u>	<u>194,500</u>	<u>19,357,638</u>

DESCRIPTION: To increase Fund Balance Appropriated revenue and appropriate towards Lowry Street project expenditures and the purchase of a fire vehicle

 Mayor

 Budget Officer



 Town Clerk

 Finance Director



August 18, 2022

To: Honorable Mayor and Town Council
Ryan Spitzer, Town Manager
Lisa Snyder, Town Clerk

From: Christopher Tucker, Finance Director CMT

RE: Council Action Request – Budget Amendment 2023-6

For Council's consideration at the August 22, 2022 Council Meeting, please find attached Budget Amendment 2023-6.

The purpose of the budget amendment is to increase **Transfer from Other Funds** revenue and increase the **General Government function** appropriation in the amount of **\$50,000** for expenditures associated with ARPA – Community Support expenditures and increase the **Public Safety function** appropriation in the amount of **\$741,000** for expenditures associated with ARPA – Fire Apparatus expenditures.

Staff recommends approval as presented.

TOWN OF PINEVILLE NC
BUDGET AMENDMENT #2023-6
August 22, 2022
 FISCAL YEAR 2022-2023

FUND / ACCOUNT #	ACCOUNT TYPE	DESCRIPTION	CURRENT BUDGET	CHANGE (+ / -)	AMENDED BUDGET
General Fund					
3991.1000.10	Revenue	Transfer from Other Funds	192,061	791,000	983,061
Total Fund Revenues			<u>19,357,638</u>	<u>791,000</u>	<u>20,148,638</u>
	Expenditure	General Government	4,401,813	50,000	4,451,813
	Expenditure	Public Safety	7,884,568	741,000	8,625,568
Total Fund Expenditures			<u>19,357,638</u>	<u>791,000</u>	<u>20,148,638</u>

DESCRIPTION: To increase Transfer In revenue and appropriate towards ARPA Projects - Fire Apparatus and Community Support

 Mayor

 Budget Officer



 Town Clerk

 Finance Director

Memorandum

To: Mayor and Town Council

From: Linda Gaddy

Date: 8/12/2022

Re: New Business: Adoption of updated Covid Policy



Purpose: Approve an update to our Town COVID-19 Policy for employees. The policy updates old language about:

- Laws and regulations that are no longer in effect
- Early outdated definitions of the disease and usual symptoms
- Outdated language
- July 2022 update to quarantine requirements with reference to the current CDC's guidelines adopted as our Town guidelines and requirements. Return to work guidelines.
- Clarification that the Paid COVID leave is no longer available, and that employees will have to use their sick time for COVID related absences

Action Requested: Council to approve the updated Covid Policy.

{OLD existing version from 3/2020 for reference only – to be replaced}

TOWN OF PINEVILLE CORONAVIRUS POLICY

Purpose

The Town of Pineville strives to provide a safe and healthy workplace for all employees. This pandemic Town of Pineville policy outlines our overall response to a coronavirus (COVID-19) outbreak and our emergency preparedness and business continuity plan. It outlines specific steps The Town of Pineville takes to safeguard employees' health and well-being during a coronavirus COVID-19 while ensuring The Town of Pineville's ability to maintain essential operations and continue providing essential services to our customers. In addition, it provides guidance on how we intend to respond to specific operational and human resource issues in the event of a pandemic.

COVID-19 Defined

According to the federal Centers for Disease Control, the Occupational Safety and Health Administration, and other organizations that monitor public health threats, coronavirus (COVID-19) is a new illness that can affect your lungs and airways.

Symptoms of coronavirus (COVID-19) are a cough, a high temperature and shortness of breath. Simple measures like washing your hands often with soap and water can help stop viruses like coronavirus (COVID-19) spreading.

There's no specific treatment for coronavirus (COVID-19). Treatment aims to relieve the symptoms until you recover. It's not known exactly how coronavirus (COVID-19) spreads from person to person, but similar viruses are spread in cough droplets.

Inability to predict when such a disease might strike and with what severity makes it incumbent on The Town of Pineville to consider how our business might be affected and to articulate what needs to be done to respond to an outbreak.

Identification of Essential Personnel

The Town of Pineville has identified and designated as essential personnel (Attachment A) certain employees whose jobs are vitally important to our continued operation and in providing services to citizens. We expect only designated essential personnel to be available for work during a coronavirus COVID-19 outbreak. Depending on the nature of the work, essential personnel may be allowed to work from home for some duties. We acknowledge, however, that even essential personnel might become ill and unavailable to work or not be able to reach our worksite because of conditions beyond their own or our control. Department Heads are expected to have a back-up contact person in place in case they cannot perform their duties. Consequently, The Town of Pineville has equipped our most essential personnel with all the resources, including computers, cell phones that essential employees need to work remotely during emergencies.

Furthermore, after the Stay at Home Order has expired, all Town of Pineville employees, whether essential or non-essential, may be required to report to work except for employees affected by The Emergency Family Medical Leave Act Expansion Act.

Infection-Control Measures

The Town of Pineville takes several steps to minimize to the extent practicable exposure to and spread of infection in the workplace, which is an ideal site for contagion because of workers' proximity to one another.

Ill employees: The Town of Pineville expects employees who contract coronavirus COVID-19 or have been exposed to infected family members or others with whom employees have been in contact to stay home and seek medical attention as necessary and appropriate. The Town of Pineville expects such workers to notify us as soon as possible of exposure or illness.

In the event an employee decides to not come to work without a valid medical reason they must use sick, vacation or comp time.

***Employee Leave and Pay**

The Town of Pineville will follow all State and Federal Government policies as they relate to FMLA and the COVID-19 pandemic. The Town, at its discretion may augment these policies with benefits that go above and beyond what is called for by the State of Federal Government. The goal of the Town of Pineville is to keep operations running in a coherent manner to provide necessary services to the citizens of Pineville while also looking out for the welfare of employees.

Emergency Declaration

During this time, all employees shall report to work should as determined by the Department Head and/or the Town Manager.

If an essential employee does not come in to work when prescribed for a reason other than a valid medical reason through the issuance of a doctor's note (from either Teladoc or some other means) as it relates to COVID-19 or for a reason prescribed by The Emergency Paid Sick Leave Act with a doctor's note– they will have to use accrued sick ,vacation, or compensatory time. This rule applies to the duration of the North Carolina State of Emergency.

Stay at Home Order

During this time, all employees shall report to work as determined by the Department Head and/ or the Town Manager (Attachment B).

In the event of coronavirus COVID-19 mandatory leave through a Stay at Home Order issued by Mecklenburg County or the State of North Carolina, The Town of Pineville grants all nonessential personnel immediate leave. All employees that are working an augmented schedule will get for hours worked or 40 hours whichever is greater. The Town of Pineville pays workers on leave for a regular 40-hour work week. The Town of Pineville monitors emergency conditions daily to determine how long leave must continue and, following consultation with outside authorities, advises employees when to expect to return to work.

If an essential employee does not come in to work when prescribed for some other reason than a valid medical reason through the issuance of a doctor's note (from either Teladoc or some other means) as it

relates to COVID-19 or for a reason prescribed by The Emergency Paid Sick Leave Act with a doctor's note—they will have to use accrued sick ,vacation, or compensatory time.

Family and medical leave: If applicable, The Town of Pineville places on family and medical leave any workers who fall ill with coronavirus COVID-19 or must be absent from work to care for an infected family member. The Town of Pineville requires such employees to notify The Town of Pineville as soon as possible of need for family and medical leave. The Town of Pineville allows employees to use accrued paid annual and sick leave in lieu of unpaid family and medical leave. The Town of Pineville requires employees to take unpaid family and medical leave once all accrued paid leave is used.

The Emergency Family Medical Leave Act Expansion Act: The Emergency Family and Medical Leave Act Expansion Act (the "E-FMLA") provides certain employees of small and mid-sized employers the right to take up to twelve weeks of protected FMLA leave to care for children whose schools and child care provider have been closed due to the COVID-19 crisis.

The E-FMLA also requires these employers to provide limited paid leave to these employees during these absences.

The E-FMLA takes effect on or before April 2, 2020 (fifteen days from March 18, 2020, the E-FMLA's enactment date). The E-FMLA will expire on December 31, 2020. For more information please contact Human Resources.

The Town of Pineville requires all employees to certify that they have received, read, and fully understand The Town of Pineville's family and medical leave policy. (See the Town of Pineville's related Family and Medical Leave Policy.)

Business Travel

The Town of Pineville makes all reasonable efforts to eliminate the need for travel by taking advantage of technology that allows us to communicate or otherwise operate electronically. Generally, in the event of coronavirus COVID-19, travel on The Town of Pineville's behalf is immediately suspended.

Communications Outside authorities:

The Town of Pineville partner with local, state, and federal emergency-response and health agencies to ensure legal compliance with emergency-response protocols to which The Town of Pineville is subject and to coordinate efforts to maintain safety and security in and outside the workplace. In the event of a conflict between directives issued by The Town of Pineville and directives issued by local, state, or federal authorities, such as the federal Department of Homeland Security, please check with your department head for direction.

Other media channels:

In an emergency, The Town of Pineville consults with outside authorities to coordinate dissemination of instructions or other important information as quickly as possible to all employees. The Town of Pineville communicates with employees via The Town of Pineville's website or hotline and dedicated local radio and television stations.

Employee Assistance Program Services

The Town of Pineville's employee assistance program (EAP) services remain available to you to the extent practicable and reasonable during a coronavirus COVID-19 outbreak. The Town of Pineville has contracted with our EAP provider to make available to you a team of crisis-management specialists. Our provider partners with The Town of Pineville and local authorities as appropriate to ensure the reasonable availability and continued provision of critical information (such as where to go to obtain medical assistance for yourself or ill family members), respite care, use of personal-protection equipment, psychological and emotional support during a pandemic, including assistance and support following the death of an infected family member. For contact information for our EAP, please notify your Human Resources Department.

The Town of Pineville makes available on written request printed copies of The Town of Pineville's complete Emergency Preparedness and Business-Continuity Plan, which includes the foregoing summary of The Town of Pineville's response to a coronavirus COVID-19.

*Reference

<https://canons.sog.unc.edu/how-the-paid-sick-leave-provisions-of-the-families-first-coronavirus-response-act-affect-government-employers/>

Attachment B

The work schedule implemented for the Stay at Home Order is intended to keep core services provided by the Town of Pineville running. The work schedule should provide adequate coverage for each department's essential task and allow departments to be responsive to citizen questions while preventing cross contamination within departments. By preventing cross contamination, services will be able to continue through the pandemic. Department work schedules are on the following pages, but employees may be called in to work a different schedule if someone in their department gets sick.

1. Department Heads are expected to keep their departments functioning at a high level. Department Heads are also expected to work enough days during the week to maintain services at the expected levels. They should be in the office a minimum of 3 days a week. However, Department Heads should take measures not to cross contaminate differing shifts.
2. Police Officers and 911 Telecommunicators are essential personnel and are expected to maintain their current schedules. If normal staffing of shifts are affected, Detectives will be required to fill in on patrol duties.
3. Civilian Staff in all other departments are expected to work the shifts as outlined. Staff may be called to fill in for others if they become sick.
4. Staff not listed in this document, but classified as essential they will be required to work as set out by their respective Department Head and/or the Town Manager.

TOWN OF PINEVILLE CORONAVIRUS POLICY

updated 7/25/2022

Purpose

The Town of Pineville strives to provide a safe and healthy workplace for all employees. This Town of Pineville policy outlines our overall response to a Coronavirus (COVID-19) outbreak and our emergency preparedness and business continuity plan. It outlines specific steps that the Town of Pineville takes to safeguard employees' health and well-being during a Coronavirus (COVID-19) while ensuring The Town of Pineville's ability to maintain essential operations and continue providing essential services to our customers. In addition, it provides guidance on how we intend to respond to specific operational and human resource issues in the event of a pandemic.

COVID-19 Defined

According to the Federal Center for Disease Control, the Occupational Safety and Health Administration, and other organizations that monitor public health threats, coronavirus (COVID-19 and mutations) is a relatively new illness that began to spread in the U.S. in early 2020. The spread rate has peaked and waned over time, but infections have persisted since that time.

The most commonly associated symptoms of Coronavirus (COVID-19) are a cough, and a high temperature and shortness of breath in severe cases, or they can be milder cold-like symptoms including headache and/or fatigue. Simple measures like washing your hands often with soap and water can help stop viruses like coronavirus (COVID-19) spreading.

There's no specific treatment for Coronavirus (COVID-19). Treatment aims to relieve the symptoms until you recover. Coronavirus (COVID-19) spreads from person to person, when an infected person breathes or coughs. In some circumstances, they may contaminate surfaces they touch. People who are closer than 6 feet away are most likely to get infected.

Inability to predict when such a disease might strike and with what severity makes it incumbent on The Town of Pineville to consider how our business might be affected and to articulate what needs to be done to respond to an outbreak.

Identification of Essential Personnel

The Town of Pineville has identified and designated as essential personnel (Attachment A) certain employees whose jobs are vitally important to our continued operation and in providing services to citizens. We expect only designated essential personnel to be available for work during a Coronavirus (COVID-19) outbreak. Depending on the nature of the work, essential personnel may be allowed to work from home for some duties. We acknowledge, however, that even essential personnel might become ill and unavailable to work or not be able to reach our worksite because of conditions beyond their own or our control. Department Heads are expected to have a back-up contact person in place in case they cannot perform their duties. Consequently, The Town of Pineville has equipped our most essential personnel with all the resources, including computers, cell phones that essential employees need to work remotely during emergencies.

Infection-Control Measures

The Town of Pineville takes several preventative steps to minimize to the extent practicable exposure to and the spread of infection in the workplace, which is an ideal site for contagion due to workers' proximity to one another.

The Town of Pineville expects employees who contract Coronavirus (COVID-19) or have been exposed to infected family members or others with whom employees have been in contact to stay home and seek medical attention as necessary and appropriate. The Town of Pineville expects such workers to notify us as soon as possible of exposure or illness, to get tested for coronavirus, and supply Human Resources with the test results.

In the event an employee decides to not come to work without a valid medical reason they must use sick, vacation or comp time.

As of July 15, 2022 specific requirements include: employees who feel ill are required to notify their supervisor promptly, isolate or quarantine at home immediately, take a COVID test as soon as possible, and send the results to Human Resources. If the employee tests positive, they must remain quarantined for the next 5 days, unless they are essential personnel and required to report for duty by their manager. To be allowed to return to work after 5 days, they must be fever-free with no major symptoms for the 24 hours prior to returning.

If the employee learns that they were in close proximity to someone who tested positive, they must quarantine for 5 days. If they have no fever or symptoms, then they can return to work at the completion of 5 days of quarantine. The exceptions are: if they are fully vaccinated and boosted and fit the CDC's definition of "up-to-date" vaccination status*, and they have no symptoms, then they can return to work without the need for quarantine, but will be required to wear a mask as a precaution, and maintain social distancing as much as possible (see the CDC definitions for "up-to-date" vaccinations at <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html#recommendations>).

Secondly, if an employee works outdoors away from other people, and they and their supervisor determine that they can stay outdoors and away from others, then they do not have to quarantine at home, they may isolate on the job.

Employees may use accumulated sick, vacation or comp time for: 1) being positive for COVID, 2) exposed to someone positive, or 3) caring for their child who is one of these.

An employee who is positive is not required to have negative test result to return to work, but we reserve the right to take an employee's temperature upon return or inquire about their current symptoms.

Employee Leave and Pay

The Town of Pineville will follow all State and Federal Government policies as they relate to FMLA and the COVID-19 pandemic. The Town, at its discretion may augment these policies with benefits that go above and beyond what is called for by the State of Federal Government. The goal of the Town of Pineville is to keep operations running in a coherent manner to provide necessary services to the citizens of Pineville while also looking out for the welfare of employees. Employees must use earned sick, vacation or comp time while they are out, regardless of vaccination status. COVID sick pay was approved by Town Council through June 30, 2021. It has expired and is no longer available.

Emergency Declaration

If an emergency declaration is issued, all employees shall report to work as determined by the Department Head and/or the Town Manager.

Uses of the Family Medical Leave Act (FMLA): If applicable, The Town of Pineville can place on FMLA any workers who fall ill with COVID or must be absent from work to care for an infected family member. The Town of Pineville requires such employees to notify The Town of Pineville as soon as possible of need for family and medical leave. The Town of Pineville allows employees to use accrued paid annual and sick leave in lieu of unpaid family and medical leave. The Town of Pineville requires employees to take unpaid family and medical leave once all accrued paid leave is used.

The Town of Pineville requires all employees to certify that they have received, read, and fully understand The Town of Pineville's family and medical leave policy. (See the Town of Pineville's related Family and Medical Leave Policy.)

Business Travel

The Town of Pineville makes all reasonable efforts to eliminate the need for travel by taking advantage of technology that allows us to communicate or otherwise operate electronically. Work with your supervisor to determine the appropriate travel and lodging arrangements (in-person or remote). If you have COVID or come into contact with someone who does, travel is prohibited. In the case of pandemic escalation, travel may be suspended in the future.

Communication with Outside authorities:

The Town of Pineville partner with local, state, and federal emergency-response and health agencies to ensure legal compliance with emergency-response protocols to which The Town of Pineville is subject and to coordinate efforts to maintain safety and security in and outside the workplace. In the event of a conflict between directives issued by The Town of Pineville and directives issued by local, state, or federal authorities, such as the federal Department of Homeland Security, please check with your department head for direction.

Other media channels:

In an emergency, The Town of Pineville consults with outside authorities to coordinate dissemination of instructions or other important information as quickly as possible to all employees. The Town of Pineville communicates with employees via The Town of Pineville's website or hotline and dedicated local radio and television stations.

Employee Assistance Program Services

The Town of Pineville's employee assistance program (EAP) services remain available to you to the extent practicable and reasonable during a coronavirus COVID-19 outbreak. The Town of Pineville has contracted with our EAP provider to make available to you a team of crisis-management specialists. Our provider partners with The Town of Pineville and local authorities as appropriate to ensure the reasonable availability and continued provision of critical information (such as where to go to obtain medical assistance for yourself or ill family members), respite care, use of personal-protection equipment, psychological and emotional support during a pandemic, including assistance and support following the

death of an infected family member. For contact information for our EAP, please notify your Human Resources Department.

*Reference

<https://www.cdc.gov/coronavirus/2019-ncov/index.html>

<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/stay-up-to-date.html#recommendations>

Memorandum

To: Mayor and Town Council

From: Matt Jakubowski

Date: 8/19/2022

Re: New Business: Outdoor Fitness Equipment Location



The Town of Pineville is looking to build its first outdoor fitness amenity at Lake Park. The cost of the fitness area is \$215,000. The National Fitness Campaign has awarded us \$30,000 towards this project. Mecklenburg County has indicated that available HUD money is available for Parks and Recreation to subsidize the remainder of the project (\$185,000). I am working with Mecklenburg County Park and Recreation Planning department and their ADA compliance representative to ensure we meet all HUD requirements. ADA ranked the location for the outdoor fitness in the attached map. Ryan Spitzer and I concur with the rankings.

The fitness court is 38' by 38'.

Action Requested: Council to approve the location of the new outdoor fitness equipment.



FUNCTIONAL TRAINING SYSTEM
THOUSANDS OF EXERCISES



Council Meeting

Pineville PLANNING & ZONING

To: Town Council

From: Travis Morgan

Date: 8/22/2022

Re: EB-5949 Johnston Rd Alignment (part 1) Bid Award (*Action Item*)

BACKGROUND:

Progress continues on the Johnston Road realignment project. We have gone out to bid twice. First time one bid was received. Second advertisement was due June 10th and we received two qualified bids with a third that failed to meet the due date. The two qualified bids are A) Sealand for the amount of \$1,460,960.30 DBE of 6.16% and B) Nassiri for the amount of \$1,531,691.75 DBE of 12%.

REQUEST:

NCDOT requests the Town to award winning bidder. Before NCDOT formally approves and awards winning bid. This is normally straight forward as lowest bid is the favored winner unless there is just cause otherwise. Issue in this case is percentage Disadvantaged Business Enterprise (DBE) otherwise known as minority business percentage of the project. NCDOT set a goal of 12%. Sealand did not meet this goal but provided (the required) documentation and reason why that was not met. See attached. Either way Town has to make a determination either #1 Town accepts Sealand's DBE good faith effort documentation and letter or #2 Accept and justify taking the high bid Nassiri and reject Sealand good faith effort for not meeting the 12 percent DBE goal. As Council, if you are not satisfied with either you can direct to go out for bid a third time in hopes of getting more bids.

STAFF COMMENT:

I discussed with NCDOT. DBE is a goal and not a requirement provided good faith effort is made, documented, and the Town accepts. Getting responses and bids has been a challenge generally due to restrictive nature of the grant and numerous larger scale and less restrictive private construction projects. NCDOT notes obligation is to lowest bid unless justifiable reason as to why not. Staff is concerned over goal versus requirement for not selecting low bid. NCDOT will ultimately have to endorse winning bid as well. The low bid from Sealand of \$1,460,960.30 was also closest to the initial estimate and NCDOT scope of \$1,462,327.50.

Please review bids and Sealand Good Faith Effort submittal. I would like to keep the project moving so would prefer not to readvertise the bid unless completely necessary. Both bids are from qualified companies. There will be a part 2 (lower area Johnston/Childers Lane) that will be open for bids next.

PROCEDURE:

A Council consideration of the two bids and award the winning bid by majority vote noted in the meeting minutes.

PROJECT MANUAL
FOR
EB-5949 - NC-51 (Main Street) Improvements Project

PREPARED FOR:



TOWN OF PINEVILLE, NORTH CAROLINA

PREPARED BY:

Kimley»Horn

**200 SOUTH TRYON
STREET, SUITE 200
CHARLOTTE, NORTH
CAROLINA 28202**

ADVERTISEMENT DATE: APRIL 19, 2022

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

**TOWN OF PINEVILLE
EB-5949 Johnston Drive Realignment (NC-51 Improvements)**

INVITATION TO BID

TIP NUMBER: EB-5949 (NC-51 Improvements project only)

FEDERAL AID NO.: 0051036

WBS ELEMENT NO.: 48422.3.1

COUNTY: Mecklenburg

DESCRIPTION:

EB-5949 Johnston Drive Realignment (NC-51 Improvements): Realignment of 0.078 miles of Johnston Drive at the intersection of NC-51 (Main Street). Work includes grading, drainage, paving, sidewalk, curb ramps, and traffic signal. This project is federally funded and must follow federal construction and inspection requirements.

DATE OF ADVERTISEMENT: APRIL 19, 2022

QUESTIONS DEADLINE: APRIL 26, 2022

BID OPENING: MAY 13, 2022

*****NOTICE*****

BIDDERS SHALL COMPLY WITH ALL APPLICABLE LAWS REGULATING THE PRACTICE OF GENERAL CONTRACTING AS REQUIRED BY THE GENERAL STATUTES OF NORTH CAROLINA THAT REQUIRE THE BIDDER TO BE LICENSED BY THE NORTH CAROLINA LICENSING BOARD FOR GENERAL CONTRACTORS WHEN BIDDING ON ANY PROJECT WHERE THE BID IS \$30,000 OR MORE. THE BIDDER WILL PROVIDE THEIR NORTH CAROLINA CONTRACTOR'S LICENSE NUMBER, CLASSIFICATION(S), AND LIMITS IN THE SPACE PROVIDED ON THE SIGNATURE PAGE OF THE BID.

NASSIRI DEVELOPMENT LLC.

NAME OF BIDDER

13663 Providence Rd. Mathews NC. 28104 #161

ADDRESS OF BIDDER

**RETURN BIDS TO: TOWN OF PINEVILLE
ATTENTION: FINANCE DEPARTMENT
ADDRESS: TOWN HALL
200 DOVER STREET
PINEVILLE, NC 28134**

ALL BIDS MUST BE RECEIVED PRIOR TO THE DATE AND TIME LISTED ABOVE.

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

BID FORM**EB-5949 - NC-51 (Main Street) Improvements Project**

Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
Roadway						
1	800	Mobilization	1	LS	\$125,000	\$125,000
2	226	Undercut Excavation	194	CY	\$75	\$14,550
3	226	Grading	1	LS	\$250,000	\$250,000
4	226	Supplementary Clearing & Grubbing	1	ACR	\$10,000	\$10,000
5	300	Foundation Conditioning Material, Minor Structures	100	Tons	\$50	\$5,000
6	300	Foundation Conditioning Geotextile	300	SY	\$10	\$3,000
7	310	15" RC Pipe Culv, Class IV	264	LF	\$125	\$33,000
8	545	Incidental Stone Base	100	Tons	\$45	\$4,500
9	607	Milling Asphalt Pavement, 1.5" Depth	2,900	SY	\$14	\$40,600
10	610	Asphalt Concrete Base Course, Type B 25.0 C	300	Tons	\$150	\$45,000
11	610	Asphalt Concrete Intermediate Course, Type I 19.0 C	240	Tons	\$150	\$36,000
12	610	Asphalt Concrete Surface Course, Type S 9.5 B	420	Tons	\$150	\$63,000
13	620	Asphalt Binder for Plant Mix	55	Tons	\$800	\$44,000
14	840	Masonry Drainage Structures	7	Each	\$3,000	\$21,000
15	840	Frame w/ Two Grates STD. 840.22	1	Each	\$950	\$950
16	840	Frame w/Grate and Hood 840.03 Type E	3	Each	\$750	\$2,250
17	840	Frame w/Grate and Hood 840.03 Type F	1	Each	\$750	\$750
18	840	Frame w/Grate and Hood 840.03 Type G	2	Each	\$750	\$1,500
19	840	M.H. Frame and Covers STD. 840.54	3	Each	\$650	\$1,950
20	846	2'-6" Concrete Curb and Gutter	650	LF	\$41.25	\$26,812.50
21	848	4" Concrete Sidewalk	850	SY	\$73.50	\$62,475
22	848	Concrete Curb Ramps	10	EA	\$3,750	\$37,500
23	859	Convert Existing Catch Basin to Junction Box	2	EA	\$3,500	\$7,000
24	1105	Temporary Traffic Control	1	LS	\$50,000	\$50,000
25	1205	Paint Pavement Marking Lines (4")	1619	LF	\$2	\$3,238
26	1205	Thermoplastic Pavement Marking Lines (4", 90 Mils)	2010	LF	\$3.50	\$7,035
27	1205	Thermoplastic Pavement Marking Lines (8", 90 Mils)	455	LF	\$9	\$4,095
28	1205	Thermoplastic Pavement Marking Lines (24", 90 Mils)	110	LF	\$24	\$2,640
29	1205	Thermoplastic Pavement Marking Symbols (90 Mils)	8	EA	\$500	\$4,000
30	SP	Tree Grates and Frame	14	EA	\$1,150	\$16,100
31	SP	3" Caliper Armstrong Maples	14	EA	\$250	\$3,500
32	SP	Rock Excavation	10	CY	\$100	\$1,000
33	SP	Hauling and Disposal of Petroleum Contaminated Soil	50	TN	\$80	\$4,000

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
Water & Sewer						
34	1510	6" Water Line	225	LF	\$125	\$28,125
35	1510	Ductile Iron Water Pipe Fittings	450	LBS	\$10	\$4,500
36	1515	6" Valve	2	EA	\$1,850	\$3,700
37	1515	8" Valve	2	EA	\$2,150	\$4,300
38	1515	Relocate Water Meter	1	EA	\$2,500	\$2,500
39	1515	Fire Hydrant	1	EA	\$7,950	\$7,950
40	1515	Fire Hydrant Leg	23	LF	\$225	\$5,175
41	1515	8" Line Stop with Bypass	2	EA	\$12,500	\$25,000
42	1515	Water Service Line	42	LF	\$90	\$3,780
43	1530	Remove Fire Hydrant	1	EA	\$2,500	\$2,500
44	1530	Abandon 8" Utility Pipe	63	LF		
Erosion Control						
45	1605	Temporary Silt Fence	340	LF	\$15	\$5,100
46	1610	Stone for Erosion Control, Class B	10	TON	\$75	\$750
47	1610	Sediment Control Stone	4	TON	\$100	\$400
48	1615	Temporary Mulching	1	ACR	\$4,500	\$4,500
49	1620	Seed for Temporary Seeding	100	LB	\$25	\$2,500
50	1620	Fertilizer for Temporary Seeding	0.5	TON	\$4,500	\$2,250
51	1622	Temporary Slope Drains	200	LF	\$40	\$8,000
52	1630	Silt Excavation	10	CY	\$150	\$1,500
53	1632	1/4" Hardware Cloth	140	LF	\$15	\$2,100
54	1640	Coir Fiber Baffle	10	LF	\$95	\$950
55	1660	Seeding & Mulching	0.45	ACR	\$9,500	\$4,275
56	1660	Mowing	0.5	ACR	\$12,000	\$6,000
57	1661	Seed For Repair Seeding	50	LB	\$40	\$2,000
58	1661	Fertilizer For Repair Seeding	0.25	TON	\$3,500	\$875
59	1665	Fertilizer Topdressing	0.75	TON	\$3,500	\$2,625
60	1667	Specialized Hand Mowing	10	MHR	\$200	\$2,000
61	SP	Response for Erosion Control	3	EA	\$1,250	\$3,750
62	SP	Concrete Washout Structure	1	EA	\$4,500	\$4,500
63	SP	Safety Fence and Jurisdictional Flagging	40	LF	\$100	\$4,000
ITS and Signals						
64	1705	Pedestrian signal head (16", 1 section with countdown)	8	EA	\$1,800	\$14,400
65	1705	Signal cable	3300	LF	\$5	\$16,500
66	1705	Vehicle signal head (12", 3 section)	8	EA	\$1,800	\$14,400
67	1705	Vehicle signal head (12", 4 section)	2	EA	\$2,100	\$4,200
68	1705	Vehicle signal head (12", 5 section)	1	EA	\$2,625	\$2,625
69	1705	Louver	3	EA	\$600	\$1,800
70	1715	Unpaved Trenching (2 conduits, 2 inch)	255	LF	\$75	\$19,125
71	1715	Directional Drill (2 conduits, 2 inch)	275	LF	\$115	\$31,625
72	1716	Junction Box (Standard size)	5	EA	\$1,500	\$7,500
73	1725	Inductive loop sawcut	1640	LF	\$24	\$39,360

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
74	1726	Lead-in cable (14-2)	1025	LF	\$4.25	\$4,356.25
75	SP	Modify Radio Installation	1	EA	\$8,500	\$8,500
76	SP	Metal pole with single mast arm	1	EA	\$69,000	\$69,000
77	SP	Metal pole with Dual mast arm	1	EA	\$94,000	\$94,000
78	SP	Soil test	2	EA	\$2,500	\$5,000
79	SP	Drilled pier foundation	11	CY	\$2,700	\$29,700
80	1743	Type I post with foundation	6	EA	\$3,750	\$22,500
81	1743	Type II post with foundation	2	EA	\$9,000	\$18,000
82	1750	Signal cabinet foundation	1	EA	\$5,000	\$5,000
83	1751	Controller with cabinet (Type 2070L, base mounted)	1	EA	\$28,000	\$28,000
84	1751	Detector card (Type 2070L)	12	EA	\$500	\$6,000
85	1753	Cabinet base extender	1	EA	\$950	\$950
86	SP	Powder coat for double mast arm with metal pole	1	EA	\$6,000	\$6,000
87	SP	Powder coat for single mast arm with metal pole	1	EA	\$3,000	\$3,000
88	SP	Powder coat for pedestal	6	EA	\$350	\$2,100
89	SP	Powder coat for push button post	2	EA	\$500	\$1,000
		Project Construction Cost	\$1,531,691.75

 Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

**NON-COLLUSION AFFIDAVIT, DEBARMENT CERTIFICATION AND GIFT BAN
CERTIFICATION**

LIMITED LIABILITY COMPANY

The prequalified bidder, being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the prequalified bidder has not been convicted of violating *N.C.G.S. § 133-24* within the last three years, and that the prequalified bidder intends to do the work with its own bona fide employees or subcontractors and will not bid for the benefit of another contractor.

By submitting this non-collusion, debarment and gift ban certification, the Contractor is attesting his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF PREQUALIFIED BIDDER

NASSIRI DEVELOPMENT LLC.

Full Name of Firm

13663 Providence Rd. Mathews NC 28104 #161

Address as Prequalified



Signature of Witness



Signature of Member/Manager/Authorized Agent

(Select appropriate Title)

Kimberly Nassiri

Print or Type Signer's Name

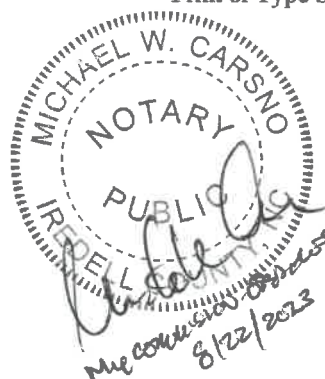
Mohammad Ali Nassiri

Print or Type Signer's Name

NCCLB # 80907

Tax ID 8-1853097

HICAMS 17355



Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet of				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	** Dollar Volume of Item
Name RW TRUCKING Address 10008 ASA NUSSEBAUM CHARLOTTE NC 28214	3	Hauling		\$ 7,000.
Name STREETER TRUCKING Address 6206 Southridge CT CHARLOTTE, NC 28269	3	Hauling		\$7000.
Name RRC CONCRETE Address P.O. Box 29769 CHARLOTTE NC 28229	20 21 22	CONCRETE		\$85,000.
Name COUNTRYWIDE COMMERCIAL Address 2033 SEDGEWICK CT TAYLORVILLE NC 28079	9 11 12	Milling/ ASPHALT		\$85,000.
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** Dollar Volume of DBE Subcontractor
\$ 184,000.

Percentage of Total Contract Bid Price
12 %

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price: If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.
If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.

Project Special Provisions

Contract No.
County

Rev 5-17-11

Item 3.

CONTRACT PAYMENT BOND

Attach certified copy of Power of Attorney to this sheet

FORM OF BID BOND

KNOW ALL MEN BY THESE PRESENTS THAT _____
Nassiri Development, LLC as
 principal, and Frankenmuth Mutual Insurance Company, as surety, who is
 duly licensed to act as surety in North Carolina, are held and firmly bound unto
Town of Pineville as obligee,
 in the penal sum of Five Percent of Amount Bid 5% DOLLARS, lawful money of
 the United States of America, for the payment of which, well and truly to be made, we bind
 ourselves, our heirs, executors, administrators, successors and assigns, jointly and
 severally, firmly by these presents.

Signed, sealed and dated this 10th day of June, 2022

WHEREAS, the said principal is herewith submitting proposal for

EB-5949 Johnston Drive Realignment (NC-51 Improvements)

and the principal desires to file this bid bond in lieu of making the cash deposit as required
 by G.S. 143-129.

NOW, THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION is such, that
 if the principal shall be awarded the contract for which the bid is submitted and shall
 execute the contract and give bond for the faithful performance thereof within ten days after
 the award of same to the principal, then this obligation shall be null and void; but if the
 principal fails to so execute such contract and give performance bond as required by G.S.
 143-129, the surety shall, upon demand, forthwith pay to the obligee the amount set forth in
 the first paragraph hereof. Provided further, that the bid may be withdrawn as provided by
 G.S. 143-129.1

Nassiri Development, LLC (SEAL)

By: [Signature] (SEAL)

 (SEAL)

Frankenmuth Mutual Insurance Company (SEAL)

By: Ronda W. Bush (SEAL)

Ronda W. Bush, Attorney-in-Fact



FRANKENMUTH MUTUAL INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Mutual Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

Kenneth J. Peebles, Christopher A. Lydick, Adam Pfanmiller, Phoebe C. Honeycutt, Julia C. McElligott,

Bobbi D. Pendleton, Jason Lee Sayers, Heather Burroughs, Brooke Gagne, Megan S. Bartman, Ronda W. Bush

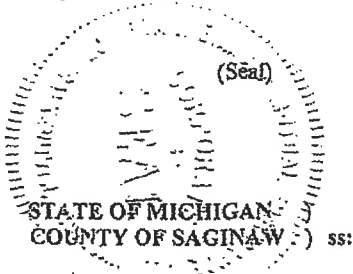
Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

Fifty Million and 00/100 Dollars (\$50,000,000)

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Mutual Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Mutual Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 10th day of September, 2018.



Frankenmuth Mutual Insurance Company

By Frederick A. Edmond, Jr.
Frederick A. Edmond, Jr.,
President and Chief Operating Officer

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposed and said the Corporate Seal and his signature as Officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 10th day of September, 2018.

Dianne L. Voss
Dianne L. Voss, Notary Public
Saginaw County, State of Michigan
My Commission Expires July 23, 2024

(Seal)

I, the undersigned, Vice President of Frankenmuth Mutual Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 10th day of September, 20 22.



Andrew H. Knudsen

Andrew H. Knudsen, Vice President

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO THE DIRECTOR OF SURETY, 701 US ROUTE ONE, SUITE 1, YARMOUTH, ME 04096

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

TOWN OF PINEVILLE
EB-5949 Johnston Drive Realignment (NC-51 Improvements)

INVITATION TO BID

TIP NUMBER: EB-5949 (NC-51 Improvements project only)

FEDERAL AID NO.: 0051036

WBS ELEMENT NO.: 48422.3.1

COUNTY: Mecklenburg

DESCRIPTION:

EB-5949 Johnston Drive Realignment (NC-51 Improvements): Realignment of 0.078 miles of Johnston Drive at the intersection of NC-51 (Main Street). Work includes grading, drainage, paving, sidewalk, curb ramps, and traffic signal. This project is federally funded and must follow federal construction and inspection requirements.

DATE OF ADVERTISEMENT: APRIL 19, 2022

QUESTIONS DEADLINE: APRIL 26, 2022

BID OPENING: MAY 13, 2022

*****NOTICE*****

BIDDERS SHALL COMPLY WITH ALL APPLICABLE LAWS REGULATING THE PRACTICE OF GENERAL CONTRACTING AS REQUIRED BY THE GENERAL STATUTES OF NORTH CAROLINA THAT REQUIRE THE BIDDER TO BE LICENSED BY THE NORTH CAROLINA LICENSING BOARD FOR GENERAL CONTRACTORS WHEN BIDDING ON ANY PROJECT WHERE THE BID IS \$30,000 OR MORE. THE BIDDER WILL PROVIDE THEIR NORTH CAROLINA CONTRACTOR'S LICENSE NUMBER, CLASSIFICATION(S), AND LIMITS IN THE SPACE PROVIDED ON THE SIGNATURE PAGE OF THE BID.

SEALAND CONTRACTORS CORP.

NAME OF BIDDER

12210 BREE DRIVE, MIDLAND, NC 28107

ADDRESS OF BIDDER

RETURN BIDS TO: TOWN OF PINEVILLE
ATTENTION: FINANCE DEPARTMENT
ADDRESS: TOWN HALL
200 DOVER STREET
PINEVILLE, NC 28134

ALL BIDS MUST BE RECEIVED PRIOR TO THE DATE AND TIME LISTED ABOVE.

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

BID FORM

EB-5949 - NC-51 (Main Street) Improvements Project

Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
Roadway						
1	800	Mobilization	1	LS	73,000.00	73,000.00
2	226	Undercut Excavation	194	CY	80.00	15,520.00
3	226	Grading	1	LS	451,802.00	451,802.00
4	226	Supplementary Clearing & Grubbing	1	ACR	12,500.00	12,500.00
5	300	Foundation Conditioning Material, Minor Structures	100	Tons	75.00	7,500.00
6	300	Foundation Conditioning Geotextile	300	SY	3.50	1,050.00
7	310	15" RC Pipe Culv, Class IV	264	LF	95.00	25,080.00
8	545	Incidental Stone Base	100	Tons	60.00	6,000.00
9	607	Milling Asphalt Pavement, 1.5" Depth	2,900	SY	5.50	15,950.00
10	610	Asphalt Concrete Base Course, Type B 25.0 C	300	Tons	100.00	30,000.00
11	610	Asphalt Concrete Intermediate Course, Type I 19.0 C	240	Tons	100.00	24,000.00
12	610	Asphalt Concrete Surface Course, Type S 9.5 B	420	Tons	95.00	39,900.00
13	620	Asphalt Binder for Plant Mix	55	Tons	925.00	50,875.00
14	840	Masonry Drainage Structures	7	Each	3,400.00	23,800.00
15	840	Frame w/ Two Grates STD. 840.22	1	Each	500.00	500.00
16	840	Frame w/Grate and Hood 840.03 Type E	3	Each	900.00	2,700.00
17	840	Frame w/Grate and Hood 840.03 Type F	1	Each	950.00	950.00
18	840	Frame w/Grate and Hood 840.03 Type G	2	Each	950.00	1,900.00
19	840	M.H. Frame and Covers STD. 840.54	3	Each	625.00	1,875.00
20	846	2'-6" Concrete Curb and Gutter	650	LF	31.00	20,150.00
21	848	4" Concrete Sidewalk	850	SY	48.00	40,800.00
22	848	Concrete Curb Ramps	10	EA	1,450.00	14,500.00
23	859	Convert Existing Catch Basin to Junction Box	2	EA	1,650.00	3,300.00
24	1105	Temporary Traffic Control	1	LS	200,000.00	200,000.00
25	1205	Paint Pavement Marking Lines (4")	1619	LF	0.70	1,133.30
26	1205	Thermoplastic Pavement Marking Lines (4", 90 Mils)	2010	LF	1.75	3,517.50
27	1205	Thermoplastic Pavement Marking Lines (8", 90 Mils)	455	LF	6.85	3,116.75
28	1205	Thermoplastic Pavement Marking Lines (24", 90 Mils)	110	LF	17.15	1,886.50
29	1205	Thermoplastic Pavement Marking Symbols (90 Mils)	8	EA	170.00	1,360.00
30	SP	Tree Grates and Frame	14	EA	1,650.00	23,100.00
31	SP	3" Caliper Armstrong Maples	14	EA	525.00	7,350.00
32	SP	Rock Excavation	10	CY	500.00	5,000.00
33	SP	Hauling and Disposal of Petroleum Contaminated Soil	50	TN	95.00	4,750.00

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
Water & Sewer						
34	1510	6" Water Line	225	LF	125.00	28,125.00
35	1510	Ductile Iron Water Pipe Fittings	450	LBS	9.50	4,275.00
36	1515	6" Valve	2	EA	2,750.00	5,500.00
37	1515	8" Valve	2	EA	3,750.00	7,500.00
38	1515	Relocate Water Meter	1	EA	1,150.00	1,150.00
39	1515	Fire Hydrant	1	EA	6,500.00	6,500.00
40	1515	Fire Hydrant Leg	23	LF	150.00	3,450.00
41	1515	8" Line Stop with Bypass	2	EA	7,500.00	15,000.00
42	1515	Water Service Line	42	LF	60.00	2,520.00
43	1530	Remove Fire Hydrant	1	EA	600.00	600.00
44	1530	Abandon 8" Utility Pipe	63	LF		
Erosion Control						
45	1605	Temporary Silt Fence	340	LF	3.50	1,190.00
46	1610	Stone for Erosion Control, Class B	10	TON	85.00	850.00
47	1610	Sediment Control Stone	4	TON	75.00	300.00
48	1615	Temporary Mulching	1	ACR	1,580.00	1,580.00
49	1620	Seed for Temporary Seeding	100	LB	4.25	425.00
50	1620	Fertilizer for Temporary Seeding	0.5	TON	2,525.00	1,262.50
51	1622	Temporary Slope Drains	200	LF	20.00	4,000.00
52	1630	Silt Excavation	10	CY	50.00	500.00
53	1632	1/4" Hardware Cloth	140	LF	8.00	1,120.00
54	1640	Coir Fiber Baffle	10	LF	8.25	82.50
55	1660	Seeding & Mulching	0.45	ACR	4,750.00	2,137.50
56	1660	Mowing	0.5	ACR	300.00	150.00
57	1661	Seed For Repair Seeding	50	LB	10.55	527.50
58	1661	Fertilizer For Repair Seeding	0.25	TON	2,225.00	556.25
59	1665	Fertilizer Topdressing	0.75	TON	2,000.00	1,500.00
60	1667	Specialized Hand Mowing	10	MHR	100.00	1,000.00
61	SP	Response for Erosion Control	3	EA	575.00	1,725.00
62	SP	Concrete Washout Structure	1	EA	1,500.00	1,500.00
63	SP	Safety Fence and Jurisdictional Flagging	40	LF	3.50	140.00
ITS and Signals						
64	1705	Pedestrian signal head (16", 1 section with countdown)	8	EA	1,375.00	11,000.00
65	1705	Signal cable	3300	LF	2.85	9,405.00
66	1705	Vehicle signal head (12", 3 section)	8	EA	1,125.00	9,000.00
67	1705	Vehicle signal head (12", 4 section)	2	EA	1,400.00	2,800.00
68	1705	Vehicle signal head (12", 5 section)	1	EA	1,800.00	1,800.00
69	1705	Louver	3	EA	215.00	645.00
70	1715	Unpaved Trenching (2 conduits, 2 inch)	255	LF	32.50	8,287.50
71	1715	Directional Drill (2 conduits, 2 inch)	275	LF	36.00	9,900.00
72	1716	Junction Box (Standard size)	5	EA	700.00	3,500.00
73	1725	Inductive loop sawcut	1640	LF	12.50	20,500.00

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

74	1726	Lead-in cable (14-2)	1025	LF	1.10	1,127.50
75	SP	Modify Radio Installation	1	EA	2,650.00	2,650.00
76	SP	Metal pole with single mast arm	1	EA	43,500.00	43,500.00
Line Item	Sec No.	Description	Quantity	Unit	Unit Price	Total Amount
77	SP	Metal pole with Dual mast arm	76 1 2	EA	66,000.00	66,000.00
78	SP	Soil test	2	EA	1,700.00	3,400.00
79	SP	Drilled pier foundation	11	CY	975.00	10,725.00
80	1743	Type I post with foundation	6	EA	1,475.00	8,850.00
81	1743	Type II post with foundation	2	EA	1,725.00	3,450.00
82	1750	Signal cabinet foundation	1	EA	1,400.00	1,400.00
83	1751	Controller with cabinet (Type 2070L, base mounted)	1	EA	20,000.00	20,000.00
84	1751	Detector card (Type 2070L)	12	EA	265.00	3,180.00
85	1753	Cabinet base extender	1	EA	600.00	600.00
86	SP	Powder coat for double mast arm with metal pole	1	EA	6,750.00	6,750.00
87	SP	Powder coat for single mast arm with metal pole	1	EA	1,900.00	1,900.00
88	SP	Powder coat for pedestal	6	EA	58.00	348.00
89	SP	Powder coat for push button post	2	EA	105.00	210.00
Project Construction Cost						1,460,960.30

EXECUTION OF BID

NON-COLLUSION, DEBARMENT AND GIFT BAN CERTIFICATION

CORPORATION

The prequalified bidder being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the prequalified bidder has not been convicted of violating N.C.G.S. §133-24 within the last three years, and that the prequalified bidder intends to do the work with his own bona fide employees or subcontractors and will not bid for the benefit of another contractor.

By submitting this non-collusion, debarment and gift ban certification, the Contractor is attesting his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. §133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF PREQUALIFIED BIDDER

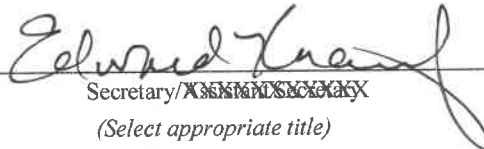
Sealand Contractors Corp.

Full name of Corporation

12210 Bree Drive, Midland, NC 28107

Address as Prequalified

Attest


Secretary/~~Assistant Secretary~~
(Select appropriate title)

By


~~President~~ Vice President/~~Assistant Vice President~~
(Select appropriate title)

Edward Knauf

Print or type Signer's name

Jason Bree

Print or type Signer's name

CORPORATE SEAL

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 1 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	**Dollar Volume of Item
Name Diamond Trucking of NC Inc. Address 3525 Robinson Circle Charlotte, NC 28206	2	Undercut Excavation	79.00/Hour	8,216.00
	3	Grading	79.00/Hour	34,760.00
	5	Fnd Conit Matl, Minor Strs.	79.00/Hour	1,580.00
	7	15" RC Pipe Culv, Class IV	79.00/Hour	3,160.00
	8	Incidental Stone Base	79.00/Hour	790.00
Name Address	9	Milling Asph Pvmnt, 1.5"	79.00/Hour	3,950.00
	10	Asp Conc Base Crs, B25.0C	79.00/Hour	3,950.00
	11	Asp Conc Intr Crs, I19.0C	79.00/Hour	3,397.00
	12	Asp Conc Surf Crs, S9.5B	79.00/Hour	5,530.00
	32	Rock Excavation	79.00/Hour	395.00
Name Address	33	Haul. & Disp. Pet. Cont. Soil	79.00/Hour	790.00
	34	6" Water Line	79.00/Hour	2,765.00
	52	Silt Excavation	79.00/Hour	395.00
Name On Time Construction Inc. Address 2917 Chamber Drive Monroe, NC 28110	14	Masonry Drainage Structures	1,700.00	11,900.00
	23	Convert Existing CB to JB	600.00	1,200.00
Name CES Group Engineers LLP Address 274 N Hwy 16 Business, Ste 300 Denver, NC 28037	3	Grading (Const. Survey)	7,200.00	7,200.00
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price:

If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.

If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 2 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	** Dollar Volume of Item
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** **Dollar Volume of DBE Subcontractor**
\$ 89,978.00

Percentage of Total Contract Bid Price
6.16 %

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price: *If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent. If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.*

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

CONTRACTOR'S AFFIDAVIT RELEASE AND WAIVER OF CLAIM

STATE OF: _____ COUNTY OF: _____

_____, of,
(Name) (Title)
_____, being first duly sworn, deposes and
says that: (Contractor)

The undersigned is authorized to execute this Affidavit, Release and Waiver of Claim on behalf of the Contractor and that he has personal knowledge of all facts set forth herein;

This Affidavit, Release and Waiver of Claim is made concerning the construction of the following;
Project: _____ Project No.: _____

All payrolls, material bills, sales tax, social security tax, state and federal unemployment insurance, and all other liabilities and taxes owed by the Contractor and arising in any manner from the above-described project have been paid in full;

No claim or lien exists in favor of any supplier of materials or labor or in favor of any subcontractor furnishing materials or labor on the above-described project;

Notwithstanding the foregoing, if the Town of Pineville, or property of the Town of Pineville, is subject to any claim or lien that arises in any manner from the failure of the Contractor to pay any liability described above, the Contractor will indemnify and hold the Town of Pineville harmless for any amount that the Town of Pineville is required to pay to discharge such lien or settle such claim and, further, will pay the Town of Pineville expenses, costs, and attorney fees incurred in connection therewith;

All claims, suits, and proceedings of every name, description, or nature arising out of the above project against the Town of Pineville, its officers, employees, and agents have been settled;

The Contractor releases and waives any and all claims of every type and description that the Contractor may have against the Town of Pineville arising in any manner from the construction of the above-described project.

By: _____ Date _____

Title: _____

Sworn to and subscribed before me this _____ day of __, 20__

Notary Public

My commission expires _____

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

AGREEMENT

This agreement, Made this ____ day of _____, _____, by and between the Mayor and Town Council, Town of Pineville, NC hereinafter called "OWNER" and, _____, doing business as a corporation; hereinafter called "CONTRACTOR". WITNESSETH: That for and in consideration of payments and agreements hereinafter mentioned:

1. The CONTRACTOR will commence work on Notice to Proceed and complete construction of the ROADWAY IMPROVEMENTS in strict accordance with the terms of this Agreement.
2. The CONTRACTOR will furnish all of the materials, supplies tools equipment, labor and other services necessary for the construction and completion of the PROJECT described herein.
3. The CONTRACTOR will commence the work required by the CONTRACT DOCUMENTS within 10 calendar days after the NOTICE TO PROCEED and will complete the same within 45 consecutive calendar days.
4. The CONTRACTOR agrees to perform all of the WORK described in the bid documents, and comply with the terms therein for the sum of \$ _____.
5. The OWNER will pay the CONTRACTOR the contract amount of \$ _____ in accordance with the PAYMENT request for the work as complete by him and approved by the TOWN.
6. This AGREEMENT will be binding to both parties to the contract. In WITNESS WHEREOF, the parties here to have executed or caused to be executed by their duly authorized official, this AGREEMENT in (2) counterparts each of which shall be deemed an original on the date first above written.

(SEAL)

ATTEST:

OWNER: Town of Pineville

By: _____

Name: _____ Name: _____

Title: _____ Title: _____

(SEAL)

ATTEST:

OWNER: Town of Pineville

By: _____

Name: _____ Name: _____

Title: _____ Title: _____

Address: _____

NC License No.: _____ Tel. No.: _____ Fax No.: _____ Email: _____

Project Special Provisions

APRIL 2022

TOWN OF PINEVILLE
200 Dover Street PINEVILLE, NORTH CAROLINA 28134
PHONE (704) 889-2291 / FAX (704) 824-2293

TOWN OF PINEVILLE
E-VERIFY EMPLOYER COMPLIANCE STATEMENT
E-Verify for Public Contracts: HB 786 (S.L. 2013-418)

The legislation referenced prohibits governmental units from awarding to or entering into contracts unless the contractor and the contractor's subcontractors comply with the E-Verify requirements of Article 2 of Chapter 64 of the NC General Statutes.

Contractor, hereafter Employer, understands that E-Verify is a federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law. Employer is defined as: Any person, business entity, or other organization that transacts business in this State and that employs 25 or more employees in this State. This term does not include State agencies, counties, municipalities, or other governmental bodies.

Employer understands that Employers, as Defined Herein, Must Use E-Verify. Each employer, after hiring an employee to work in the United States, shall verify the work authorization of the employee through E-Verify in accordance with NCGS§64-26(a).

Therefore, all employers must be in compliance with the E-Verify requirements to enter into contracts with the Town of Pineville.

Below check the type of employer and complete the information.

A) Employer with less than 25 employees, not required to use E-Verify: _____

Company Name

Signature and Title

Date

OR:

B) Employer with 25 or more employees required by NC S.L.213-418 to use E-Verify: **Yes, we**
comply: ☒ _____

SEALAND CONTRACTORS CORP.
Company Name

J. J. Hill, VICE PRESIDENT
Signature and Title

6/10/2022
Date

Name of Counterparty:

Project Special Provisions

IRAN DIVESTMENT ACT CERTIFICATION REQUIRED BY N.C.G.S. 143C-6A-5(a)

As of the date listed below, the entity listed above is not listed on the Final Divestment List created by the State Treasurer pursuant to N.C.G.S. 143-6A-4.

The undersigned hereby certifies that he or she is authorized by the entity listed above to make the foregoing statement.

 
Signature Date


Printed Name

Contract No. EB-5949
 County Mecklenburg

Rev. 7-25-17

STATE OF NORTH CAROLINA
Town of Pineville
RALEIGH, NC

BID BOND

Principal: Sealand Contractors Corp.
 Name of Principal Contractor
 Surety: Liberty Mutual Insurance Company
 Name of Surety
 Contract Number: EB-5949 County: Mecklenburg
 Date of Bid: June 10, 2022

KNOW ALL MEN BY THESE PRESENTS, That we, the PRINCIPAL CONTRACTOR (hereafter, PRINCIPAL) and SURETY above named, are held and firmly bound unto the **Town of Pineville** in the full and just sum of five (5) percent of the total amount bid by the Principal for the project stated above, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents.

NOW, THEREFORE, the condition of this obligation is: the Principal shall not withdraw its bid within sixty (60) days after the opening of the bids, or within such other time period as may be provided in the proposal, and if the **Town of Pineville** shall award a contract to the Principal, the Principal shall, within ten (10) calendar days after written notice of award is received by him, provide bonds with good and sufficient surety, as required for the faithful performance of the contract and for the protection of all persons supplying labor, material, and equipment for the prosecution of the work. In the event the Principal requests permission to withdraw his bid due to mistake in accordance with the provisions of Article 103-3 of the *Standard Specifications for Roads and Structures*, the conditions and obligations of this Bid Bond shall remain in full force and effect until the **Town of Pineville** makes a final determination to either allow the bid to be withdrawn or to proceed with award of the contract. In the event a determination is made to award the contract, the Principal shall have ten (10) calendar days to comply with the requirements set forth above. In the event the Principal withdraws its bid after bids are opened except as provided in Article 103-3, or after award of the contract has been made fails to execute such additional documents as may be required and to provide the required bonds within the time period specified above, then the amount of the bid bond shall be immediately paid to the **Town of Pineville** as liquidated damages.

IN TESTIMONY WHEREOF, the Principal and Surety have caused these presents to be duly signed and sealed.

This the 3rd day of June, 20 22

Liberty Mutual Insurance Company
 Surety

By 
 General Agent or Attorney-in-Fact Signature

Seal of Surety

Francis A. Lowther
 Print or type Signer's Name

Contract No. EB-5949
 County Mecklenburg

Rev. 7-25-17


BID BOND**CORPORATION**

SIGNATURE OF CONTRACTOR (Principal)

Sealand Contractors Corp.
 Full name of Corporation

12210 Bree Road, Midland, NC 28107
 Address as prequalified

By

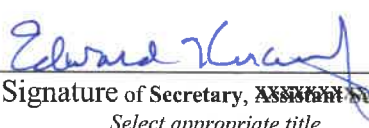

 Signature of ~~President~~, Vice President, Assistant Vice President
 Select appropriate title

Jason Bree

Print or type Signer's name

Affix Corporate Seal

Attest


 Signature of Secretary, ~~Assistant Secretary~~
 Select appropriate title

Edward Knauf

Print or type Signer's name

INDIVIDUAL ACKNOWLEDGMENT

State of _____
 County of _____

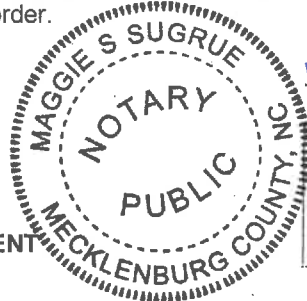
On this _____ day of _____, _____, before me personally appeared _____ known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same.

 Notary Public

CORPORATION ACKNOWLEDGMENT

State of NORTH CAROLINA
 County of CABARRUS

On this 6th day of JUNE, 2022, before me personally appeared Jason Bree to me known, who being by me duly sworn, did depose and say: that he/she resides at CHARLOTTE, NC; that he/she is Vice President of the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he/she signed his/her name thereto by like order.



Maggie S. Sugrue
 Notary Public

MAGGIE S. SUGRUE
 NOTARY PUBLIC
 Mecklenburg County
 North Carolina
 My Commission Expires 11/11/2024

SURETY ACKNOWLEDGMENT

State of New York
 County of Onondaga

On this 3rd day of June, 2022, before me personally appeared Francis A. Lowther to me known, who being by me duly sworn, did depose and say: that he/she resides in the City of Syracuse, NY; that he/she is the Attorney-In-Fact of the above signed surety, the corporation described in and which executed the within instrument; that he/she knows the corporate seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he/she signed his/her name thereto by like order.

Ashalin C. O'Connell
 Notary Public

ASHALIN C. O'CONNELL
 Notary Public - State of New York
 No. 01OC6422928
 Qualified in Onondaga County
 My Commission Expires October 4, 2025



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8206158-837023

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Ashalin C. O'Connell, Chelsea E. Follett, Edward J. Reagan, Francis A. Lowther, Joseph P. Campbell, Natalie M. Jimenez, Robert B. Parrish, Sarah E. Peterson all of the city of Marcellus, state of NY each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 17th day of August 2021.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company



By: David M. Carey

David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 17th day of August, 2021, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella

Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, of Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company do hereby certify that this power of attorney executed by said Companies is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 3rd day of June 2022.



By: Renee C. Llewellyn

Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2021

Assets		Liabilities	
Cash and Bank Deposits	\$2,234,770,744	Unearned Premiums	\$9,106,965,847
*Bonds — U.S Government	4,250,615,811	Reserve for Claims and Claims Expense	25,279,158,493
*Other Bonds	16,983,165,862	Funds Held Under Reinsurance Treaties	315,537,902
*Stocks	20,075,458,019	Reserve for Dividends to Policyholders	1,726,291
Real Estate	182,250,567	Additional Statutory Reserve	139,634,000
Agents' Balances or Uncollected Premiums	7,607,687,836	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	120,173,987	Other Liabilities	8,638,106,801
Other Admitted Assets	14,076,622,575	Total	\$43,481,129,334
		Special Surplus Funds	\$178,192,363
		Capital Stock	10,000,075
		Paid in Surplus	11,804,736,755
		Unassigned Surplus	10,056,686,874
		Surplus to Policyholders	22,049,616,067
Total Admitted Assets	<u>\$65,530,745,401</u>	Total Liabilities and Surplus	<u>\$65,530,745,401</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2021, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 8th day of March, 2022.

T. Mikolajewski

Assistant Secretary

SEALAND

CONTRACTORS CORP.

12210 Bree Drive • Midland, North Carolina 28107 • Office (704) 522-1102 • Fax (704) 522-5494

June 15, 2022

Town of Pineville
Finance Department
Town Hall
200 Dover Street
Pineville, NC 28134

Reference: Good Faith Effort for the NC-51 (Main Street) Improvements Project
Project No: EB-5949

Dear Mr. Chris Tucker,

Sealand Contractors Corp. (Sealand) has been unable to meet the proposed Disadvantaged Business Enterprise (DBE) goal of twelve percent (12.0%) for the referenced project. Please accept this letter and subsequent attachments as Sealand's documentation demonstrating the Good Faith Effort (GFE) made towards meeting the goal.

Solicitations were made on April 28, 2022, via email to sixty-five (65) DBE firms listed in the NCDOT Directory of Transportation firms. Follow up contacts were made days prior to the bid to any DBE firms that did not respond to the initial contact. Documentation showing these contacts is attached. Multiple quotes were received as a result of the initial and follow up contacts.

Sealand strategically directed solicitations to specific types of firms based on the scopes of work available. The item sheet for the project and a hauling quote sheet (see attached) with the hauling requirements were sent to the necessary firms for review so that they may provide a quote for the items pertaining to their line of work. Sealand aided firms in understanding the scope of work, schedule, and specific project requirements.

The letters of solicitation sent to inform the DBE firms of the project (see attached), included the locations where the plans and specifications were available to review which included our office, 12210 Bree Drive, Midland, NC 28107. DBEs were also provided the option to receive documents by request through fax, email, or regular mail. Furthermore, Sealand purchased a complete set of electronic drawings and specifications, and presented them to the DBEs to view and/or download at their convenience. All Addenda and supplemental documents were also made available for review.

Sealand received quotes from DBE firms for the following scopes of work: Concrete Flatwork and Curb & Gutter, Landscaping / Erosion Control, Masonry Drainage Structures, Construction Surveying, and Hauling.

Sealand received two DBE quotes for the Concrete Flatwork and Curb & Gutter from Byars Concrete Inc. DBA Theresa's Concrete Service, and Clear Creek of Salisbury Inc. Sealand reviewed both of their quotes in comparison to its own costs to self-perform this scope. Sealand

self-performing this scope of work offered a significant cost savings. In order to offer its most competitive bid, Sealand was not able to utilize either DBE firm for the Concrete Flatwork and Curb & Gutter. A breakdown of this comparison is attached.

Sealand received two quotes for the Landscaping / Erosion Control. The quote received from Seed Slingers (DBE) was higher than the quote from GML Contractor Services (non-DBE). The difference was of significant magnitude for the overall Landscaping / Erosion Control scope; therefore they were not able to be utilized towards the DBE participation. A breakdown comparing their quotes is attached.

Sealand received one subcontractor quote for the Masonry Drainage Structures from On Time Construction Inc. (DBE). After receiving and reviewing their quote, we requested that they additionally quote the item to Convert Existing Catch Basin to Junction Box in order to increase their scope. They were able to do so, and their full revised quote was utilized towards the DBE participation. A copy of the email showing the back-and-forth correspondence, plus the original and revised quotes are attached.

After the original bid date of May 13, 2022, and bids were not opened due to less than three bids being submitted, Sealand realized that DBE(s) had not been contacted for the Construction Surveying portion of the project. When the addendum three was issued with the re-advertised bid date, Sealand reached out to firms and received a quote from CES Group Engineers LLP which was utilized towards the DBE participation on the project. A copy of the email requesting a quote from CES Group (Michael Lester) is attached along with the original and revised Listing of DBE Firms showing CES Group being added.

Various quotes were received from hauling subcontractors for this project. After reviewing all quotes from DBE and non-DBE hauling firms, Diamond Trucking of NC, Inc. (DBE) was selected to fulfill one hundred percent of the hauling required for the project and included towards the DBE participation.

Sealand was pleased to accept and give serious consideration to each DBE firm who submitted a quotation to us for this project. No quote was rejected as incomplete or unqualified and Sealand was prepared to assist any DBE firm offering a quotation with quick pay agreements as needed, and all subcontractors were informed of this intent through the letters of solicitation and follow up conversations.

If you have questions or need additional information please call, 704-522-1102. We appreciate your consideration to this matter.

Sincerely,



Jason Bree
Vice President

From: Rohit Chimmula
Bcc: Albelo Loaka (alozakor@aol.com); Algemon Parker (alcmasonny45@yahoo.com); Blonnie Putnam (blonnie@carolinacajunconcrete.com); Bobby Kemp (bkemp710@yahoo.com); Carrie Coats (hemarconcrete@gmail.com); Christian Ogbonna (cogbonna@cornerstoneconstruction.com); Eileen Tiffany (eileen@bridgeconcrete.com); Frank Arnette (coharleconst@gmail.com); Ha Kim (hakim@dotconstructioninc.com); Hani Kattan (hani@atlanticcontractinginc.com); Jack Grancho (jows@paversstamp.com); Jose Fernandez (fern3900@bellsouth.net); Josiah Awunoye (awunoyejc@yahoo.com); Joy Fortenberry (joy@concretespecialtycontractors.com); Kelly Boulware (kelboulware@charter.net); Ken Oliver (oliver@oliverpaving.com); Maria Aquila (jamasonny@rtmc.net); Myron Ross (mross@morcon.net); Ramiro Razo (rrc1concrete@gmail.com); Scott Paramore (scottontime@aol.com); Sean Harris (harrisconcrete@triad.rr.com); Theresa Richardson (theresa@theresasconcrete.com); Victor Ariza (victor@armenconstruction.com); Catherine Fowler (cathy@maeroslon.com); David Martin (martinlandscaping@rocketmail.com); George Daniels (gdaniels@carolina.rr.com); Gloria Carpenter (sseedling@aol.com); James Harris (dakato.hawk.construction@yahoo.com); Jayne Boone (BOONEGEO331@GMAIL.COM); Joanne Chestam (stacey@carolinaenvironmentalcontracting.com); Karen Kleffer (phillenconstruction@gmail.com); Sam Johnson (sam@seedslingers.com); Lynn Rigans (lynn@sealbrothers.com); Manny Ahumada (manny@lsigroup-llc.com); Pamela Lineberry (lineberry@lineberryinc.com); Penny Farris (penny@pieroslon.com); Rhonda Herndon (rherndon@herndoninc.com); STEPHANIE SMITH (STEPHANIE@MLSHYDROSEEDING.COM); Anne-Marie Harris (tscc@trafficsafetycc.com); Crystal Holliday (birdogtraffic@bellsouth.net); Daniel Hull (dhull@nctcss.com); Jacob (jacob@bccannon.com); EZSTRIPING@YAHOO.COM; Carolyn Poteat (imc092237@aol.com); Estimating (estimating@aipavementmarkingllc.com); Kathy Roudabush (trml1@netzero.net); Kristin Calton (kalritpp@gmail.com); Lillian Maribel Quiroa (alamancestrippingequip@gmail.com); Lynn Pressley (ondeff1@aol.com); Tracey Perry (dixonpaving@gmail.com)

Subject: NC-51 (Main Street) Improvements Project ITB
Date: Thursday, April 28, 2022 10:17:47 AM
Attachments: [image001.png](#)
[image002.png](#)
[NC-51 \(Main Street\) Improvements Project ITB.pdf](#)
[NC-51 \(Main Street\) Improvements Project Item Sheet.pdf](#)

Sealand Contractors is bidding the referenced project to the Town of Pineville on Friday, May 13th. Attached is an Invite to Bid Letter and the item sheet for the project. We would like to receive a bid from you for the applicable items based on your scope of work.

The attached letter provides details about the project along with information about accessing the project documents. The Project documents are available to view/download using the link below:

☐ [NC-51 \(Main Street\) Improvements Project](#)

Please email or fax response, and contact me directly with any questions about the project or issues with accessing the plans and specifications.

Thanks,

Rohit Chimmula, Estimator
Sealand Contractors Corp. | 12210 Bree Drive. Midland, NC 28107
P: 704.522.1102 | F: 704.522.5494
rohit@sealandcontractors.com | www.sealandcontractors.com

SEALAND
CONTRACTORS CORP.

From: Rohit Chimmula
Bcc: Adrian Rowell (greg@unitedtruckingsolutions.com); Anita Staton (milesfreightsolutions@gmail.com); Brian Polk (brianpolk33@hotmail.com); Calvert Forde (fordetruckinginc@yahoo.com); Cesar Leon (cala1972@gmail.com); Charles Fomey (Yenro01@twc.com); Curtis McConney (rabb5610@aol.com); Darnell Jones (damelljones006@yahoo.com); David Grant (rjconstructionllc@gmail.com); Dee Dee Disbennett (deedeedisbennett@aol.com); Donald Mcneely (stacymills75@ymail.com); Franklin Stinson Jr (stinsontrucking@gmail.com); James Rankin (myrtlebowles@yahoo.com); James Streeter (streetertrucking@aol.com); Jeffrey Mitchell (jeffreym851@gmail.com); Jennine Hill (allpointtrucking@aol.com); Karen Christy (kchristy@mucoinc.com); Kojo Sapon (kojo119@yahoo.com); LaToya Hayden (ldiamondtruckingnc@gmail.com); Lee Little (alittle@bellsouth.net); Meredith Barbour (dbehaulers@twc.com); Nancy Bost (hostlogistics@aol.com); Nathaniel Jones (njfinc@bellsouth.net); Neal Richard Adderley (nadderley74@hotmail.com); Odell Cooper (candztrucking@ymail.com); RAJAD HAMID (HRAJAD@YAHOO.COM); Rashaad Woods (rvtrucking100@gmail.com); Shauntavious Gaines (lkontruckingnc@gmail.com); Todd Scott (scotttrucking@att.net); Tordano Thomas (b4llnc@hotmail.com); "LaToya Hayden (ldiamondtruckingnc@gmail.com)"

Subject: NC-51 (Main Street) Improvements Project ITB
Date: Thursday, April 28, 2022 10:18:17 AM
Attachments: [Image001.png](#)
[Image002.png](#)
[NC-51 \(Main Street\) Improvements Project ITB - Hauling.pdf](#)
[Hauling Quote Sheet-NC-51 \(Main Street\) Improvements Project.xlsx](#)

Sealand Contractors is bidding the referenced project to the Town of Pineville on Friday, May 13th. Attached is an Invite to Bid Letter and Hauling Quote Sheet for the project. We would like to receive haul rates from you based on the information provided.

The attached letter provides details about the project along with information about accessing the project documents. The Project documents are available to view/download using the link below:

 [NC-51 \(Main Street\) Improvements Project](#)

Please email or fax response, and contact me directly with any questions about the project or issues with accessing the plans and specifications.

Thanks,

Rohit Chimmula, Estimator

Sealand Contractors Corp. | 12210 Bree Drive. Midland, NC 28107

P: 704.522.1102 | F: 704.522.5494

rohit@sealandcontractors.com | www.sealandcontractors.com



NC-51 (Main Street) Improvements Project - Town of Pittsville

Firm Name	Certification	Primary Contact	Email Address	Phone Number	Fax Number	Follow Up Date/Time	Result
Hauling Firm							
Affordable Source Trucking	DBE, MBE	Jeffrey Mitchell	jeffrey851@gmail.com	(704) 347-9501	-	5/6/2022, 1:13 PM	Will Quote
All Points Trucking	DBE, WBE	Jennine Hill	ajp@allpointstrucking.com	(704) 588-9447	(704) 588-9160	5/6/2022, 1:16 PM	Resent Email
B & J Hauling	DBE, MBE	James Rankin	myrel@bncfamilydetroit.com	(704) 913-2295	(704) 739-3740	5/6/2022, 1:17 PM	Voicemail
BKP Trucking LLC	DBE, MBE	Brian Polk	bri@bcp33@gmail.com	(704) 201-8883	(704) 573-2553	5/6/2022, 1:21 PM	Will Quote
Blue Logistics	DBE, WBE	Nancy Boat	boad@blue-logistics.com	(704) 636-0105	(704) 636-2847	5/6/2022, 1:22 PM	No Answer
C & Z Trucking	DBE, MBE	Odell Cooper	candert@ckztrucking.com	(704) 271-8949	-	5/6/2022, 1:23 PM	Number Disconnected
Cesar A Leon	DBE, MBE	Cesar Leon	cala1972@gmail.com	(704) 737-2349	-	5/6/2022, 1:24 PM	Voicemail
Danell Jones Trucking	DBE, MBE	Danell Jones	danielljones06@yahoo.com	(704) 291-7732	(704) 282-4142	5/6/2022, 1:27 PM	Quoted
DBE Handlers LLC	DBE, WBE	Meredith Barbour	db@handlersofnc.com	(704) 400-7887	-	5/6/2022, 1:27 PM	Voicemail
Diamond Trucking of NC	DBE, MBE	LaTonia Haden	diamondtruckingofnc@gmail.com	(704) 712-2608	(980) 226-5867	5/6/2022, 1:29 PM	Will Quote
Express Logistics Services	DBE, MBE	Kato Simon	elo663@gmail.com	(704) 891-1603	(803) 228-0210	5/6/2022, 1:31 PM	Voicemail
Forde Trucking Inc	DBE, MBE	Calvert Forde	forde@truckingofnc.com	(704) 651-6127	-	5/6/2022, 1:33 PM	Mailbox Full
Island Transport Inc.	DBE, MBE	Neal Richards Adderley	islandtransportofnc.com	(704) 579-1909	(704) 567-2396	5/6/2022, 1:34 PM	Voicemail
Jones Grading & Paving, Inc.	DBE, MBE	Nathaniel Jones	jeff@jonesgrading.com	(704) 331-9224	(704) 331-0930	5/6/2022, 1:36 PM	Voicemail
Kingdom Trucking	DBE, MBE	Curtis McCarty	rbbs5610@gmail.com	(704) 526-7083	(980) 272-6903	5/6/2022, 1:37 PM	Not Quoting
Leon's Trucking	DBE, MBE	Shauntavious Gaines	lions@truckingofnc.com	(910) 806-6365	-	5/6/2022, 1:38 PM	Will Quote
Miles Freight Solutions	DBE, WBE	Anita Staton	milesfreight@hsh.com	(704) 390-4189	(704) 414-6777	5/6/2022, 1:39 PM	Voicemail
Mingo Gravel & Grading	DBE, WBE	Karen Christy	kingo@truckingofnc.com	(704) 782-3478	(704) 720-0319	5/6/2022, 1:40 PM	Not Quoting
RAH Trucking Inc	DBE, MBE	Rahad Hamid	kabari@truckingofnc.com	(704) 654-6208	(704) 503-9176	5/6/2022, 2:06 PM	Voicemail
RV Trucking Inc	DBE, MBE	Rahad K Woods	rvtrucking1@yahoo.com	(704) 965-8842	-	5/6/2022, 2:06 PM	Will Quote Concrete Work
Scott Trucking	DBE, MBE	Todd Scott	scotttruckingofnc.com	(704) 400-4951	(704) 334-3948	5/6/2022, 2:05 PM	Not Quoting
Sweet's Trucking	DBE, MBE	James Streeter	stret@truckingofnc.com	(704) 400-4112	(704) 509-1250	5/6/2022, 2:09 PM	No Answer
United Trucking Solutions Inc	DBE, MBE	Adrian Rowell	stret@truckingofnc.com	(704) 200-3929	-	5/6/2022, 2:11 PM	Mailbox Full
V & D Trucking	DBE, MBE	Donald McNeel	stret@truckingofnc.com	(704) 622-2827	-	5/6/2022, 2:12 PM	Voicemail
Yerof Trucking	DBE, MBE	Charles Farney	stret@truckingofnc.com	(704) 791-8994	(704) 792-2116	5/6/2022, 2:14 PM	Voicemail
Swapping Firm							
Alamance Striping & Equipment	DBE, MBE	Lillian Maribel Quintana	alamancestriping@gmail.com	(336) 792-8265	(336) 270-3398	5/6/2022, 2:15 PM	No Answer
EZ Striping LLC	DBE, MBE	Brian Lynch	ezstriping@yahoo.com	(828) 708-2809	-	5/6/2022, 2:16 PM	Voicemail
Ground Effects	DBE, WBE	Lynn Pressley	gndeff@gmail.com	(704) 821-9552	(704) 361-7587	5/6/2022, 2:18 PM	Voicemail
LSM Pavement Marking LLC	DBE, WBE	Kristin Calton	lsmpavement@gmail.com	(919) 756-8126	-	5/6/2022, 2:20 PM	Will Quote
McCain Striping Service Inc	DBE, MBE	Candice Potest	jmc092237@gmail.com	(336) 656-3480	(336) 656-7144	5/6/2022, 2:22 PM	Voicemail
Tread Road Maintenance Co	DBE, WBE	Kathy Roundhouse	tread1@tread.com	(336) 342-9946	-	5/6/2022, 2:23 PM	Not Quoting
Concrete							
Apella's Masonry	DBE, MBE	Maria Apella	jama@apellas.com	(336) 581-3231	(336) 581-3338	5/6/2022, 12:40 PM	Voicemail
Amen Construction LLC	DBE, MBE	Victor Ariza	amenconstruction.com	(704) 953-7459	(980) 237-7742	5/6/2022, 12:43 PM	Voicemail
Atlantic Contracting Company Inc	DBE, WBE	Hani Katian	hkatian@atlanticcontracting.com	(336) 931-3109	(336) 931-3108	5/6/2022, 12:45 PM	Voicemail
Bedlam LLC	DBE, WBE	Albeiro Loeiza	bedlam@bedlam.com	(704) 309-8052	-	5/6/2022, 12:46 PM	Voicemail
Clear Creek of Salisbury	DBE, WBE	Bobby Kemp	clearcreek71@yahoo.com	(704) 239-2293	-	5/6/2022, 12:46 PM	Quoted
Concrete Specialty Contractors	DBE, WBE	Jay Fortenberry	concrete-specialty-contractors.com	(704) 487-3557	(704) 487-1239	5/6/2022, 12:53 PM	Mailbox Full

NC-51 (Main Street) Improvements Project - Town of Pineville						
Firm Name	Certification	Primary Contact	Email Address	Phone Number	Fax Number	Follow Up Date/Time
Comcast Development	DBE, MBE	Josiah A. Acquaviva	awinter@comcast.net	(704) 597-7844	(704) 597-7830	5/6/2022, 12:55 PM
DOT Construction Inc	DBE, MBE	Ha Kim	haki@dotconstruction.com	(704) 534-3790	(704) 532-8218	5/6/2022, 12:59 PM
Fernandez Construction Corp	DBE, MBE	Jose Fernandez	fern3900@outlook.net	(704) 394-7173	-	5/6/2022, 1:00 PM
Harris Concrete and Construction Inc	DBE, MBE	Sean Harris	harris@harrisconcrete.com	(336) 362-3178	(336) 358-1102	5/6/2022, 1:01 PM
Hennar, Inc.	DBE, MBE	Cenzie Coats	hennarconcrete@gmail.com	(704) 932-5581	(704) 932-5569	5/6/2022, 1:03 PM
Mar Construction LLC	DBE, MBE	Myron Ross	ross@hennar.com	(980) 254-1308	(855) 710-7707	5/6/2022, 1:05 PM
On Time construction	DBE, WBE	Scott Parramore	scott@ontimeat.com	(704) 201-0290	(704) 289-4001	5/6/2022, 1:08 PM
Pavers, Walls, and Stamped Concrete	DBE, MBE	Jack Granchio	jack@paverswalls.com	(803) 335-3028	(803) 339-4182	5/6/2022, 1:09 PM
REI Concrete Inc.	DBE, MBE	Ramiro Razo	rei@concreteinc.com	(980) 237-3585	-	5/6/2022, 1:10 PM
Southern Concrete & Construction	DBE, WBE	Kelly Boulware	kellboul@earthlink.net	(864) 367-0992	(864) 367-0993	5/6/2022, 1:11 PM
Theresa's Concrete Service Inc	DBE, WBE	Theresa Richardson	theresac@earthlink.net	(704) 637-8708	(704) 633-1147	Quoted
Landscaping Firms						
Dakota Hawk Construction Inc	DBE, MBE	James Harris	dakota.hawk.construction@yahoo.com	(910) 521-0886	(910) 521-0886	5/6/2022, 2:50 PM
Herndon, Incorporated	DBE, WBE	Rhonda Herndon	herndon@herndoninc.com	(813) 438-1078	(813) 438-1292	5/6/2022, 2:53 PM
Liberty Inc	DBE, WBE	Patricia Lindberry	libberry@earthlink.net	(336) 824-2686	(336) 824-2750	5/6/2022, 2:56 PM
Marin Landscaping Co., Inc.	DBE, WBE	David Martin	martinlandscaping@yahoo.com	(704) 379-0076	(704) 536-7243	5/6/2022, 3:02 PM
Mid-Atlantic Erosion Control	DBE, MBE	Catherine Fowler	midatlantic@earthlink.net	(704) 483-1100	(704) 483-1109	5/6/2022, 3:04 PM
Miles Landscaping Services, Inc	DBE, WBE	Stephanie Smith	stephanie@earthlink.net	(864) 492-6832	-	5/6/2022, 3:05 PM
New Beginning Landscare, LLC	DBE, MBE	George Daniels	newbeginninglandscare.com	(704) 400-4930	(704) 504-3115	5/6/2022, 3:07 PM
P & L Erosion Control Etc	DBE, WBE	Penny Batts	penny@erosioncontrol.com	(864) 839-4701	(864) 839-9171	5/6/2022, 3:08 PM
Philon Construction & Landscaping Co	DBE, WBE	Karen Kieffer	philonconstruction@yahoo.com	(704) 622-1233	(704) 279-9030	5/6/2022, 3:12 PM
Seal Brothers Contracting LLC	DBE, WBE	Lynn Riggins	sealbrotherscontracting.com	(336) 786-2263	(336) 789-7325	5/6/2022, 3:14 PM
Seed Sifters LLC	DBE, WBE	Kelli Johnson	seed@sifters.com	(813) 358-1870	(843) 358-0984	Quoted
Superior Seeding	DBE, WBE	Gloria Carpenter	seeding@earthlink.net	(704) 867-1424	(704) 867-1764	5/6/2022, 3:16 PM
Milling						
Dixon Paving, Inc	DBE, WBE	Tracey Perry	dixonpaving@gmail.com	(919) 830-8498	(919) 390-0333	5/6/2022, 3:20 PM
M&P Signs	DBE, WBE	Jacob	mnp@earthlink.net	(864) 235-7979	-	5/6/2022, 3:25 PM
B C Cannon	DBE, WBE	Cystal Holiday	brcannon@earthlink.net	(704) 872-8448	-	5/6/2022, 3:27 PM
Traffic and Safety of the Carolinas	DBE, WBE	Anne-Marie Harris	trafficandsafetyofthecarolinas.com	(704) 984-1727	-	5/6/2022, 3:28 PM
Traffic Control Safety Services	DBE, WBE	Daniel Hull	trafficcontrol@gmail.com	(336) 771-7676	-	5/6/2022, 3:30 PM
Result						
						Number Disconnected
						Mailbox Full
						Number Disconnected
						Voicemail
						Will Let Know
						Will Quote
						Will Quote
						Mailbox Full
						No Response
						Voicemail
						Quoted
						Voicemail
						Recent Email
						Call Back
						Will Call Back
						Voicemail
						Voicemail
						Mailbox Full
						Voicemail
						Voicemail
						Quoted
						Not Quoting
						Voicemail



12210 Bree Drive • Midland, North Carolina 28107 • Office (704) 522-1102 • Fax (704) 522-5494

April 28, 2022

To: NCDOT Certified DBE Firms

Bid For: NC-51 (Main Street) Improvements Project.
Owner: Town of Pineville
Project #: EB-5949
Bid Date: May 13, 2022 @ 4:00 PM
Location: Intersection of Main Street and Johnston Drive.
Attention: Estimator

Sealand Contractors Corp. is bidding the above referenced project as prime contractor. We have identified scopes of work available for subcontract which include, but are not limited to those listed below. Please contact me if you would like to receive specifications or any additional information about the project. The duration of the project is 300 Calendar Days. The DBE goal for this project is 12.0%. Sealand is willing to break down work into economically feasible units to facilitate DBE participation. Sealand is also willing to provide Quick Pay Arrangements to encourage DBE participation.

Please quote your items of work for the following scopes: Clearing and Grubbing, Milling, Drainage Structures, Concrete Curb and Gutter, Concrete Flatwork, Traffic Control, Pavement Markings, Electrical, Landscaping, and Erosion Control.

Contract documents, including Drawings and Technical specifications are available for review at our office located at 12210 Bree Drive, Midland, NC28107.

Quotations are due in our office no later than Thursday, May 12th at 5:00 pm.

We look forward to hearing from you.

SEALAND CONTRACTORS CORP.

PLEASE EMAIL OR FAX RESPONSE:

Attn: Rohit Reddy Chimmula, Estimator
Fax #: (704) 522-5494
Email: rohit@sealandcontractors.com



12210 Bree Drive • Midland, North Carolina 28107 • Office (704) 522-1102 • Fax (704) 522-5494

April 28, 2022

To: NCDOT Certified DBE Firms

Bid For: NC-51 (Main Street) Improvements Project.
Owner: Town of Pineville
Project #: EB-5949
Bid Date: May 13, 2022 @ 4:00 PM
Location: Intersection of Main Street and Johnston Drive.
Attention: Estimator

Sealand Contractors Corp. is bidding the above referenced project as prime contractor. We would like to receive a quote from you for hauling services. Please contact me if you would like to receive specifications or any additional information about the project. The duration of the project is 300 Calendar Days. The DBE goal for this project is 12.0%. Sealand is willing to break down work into economically feasible units to facilitate DBE participation. Sealand is also willing to provide Quick Pay Arrangements to encourage DBE participation.

Contract documents, including Drawings and Technical specifications are available for review at our office located at 12210 Bree Drive, Midland, NC28107.

Quotations are due in our office no later than Thursday, May 12th at 5:00 pm.

We look forward to hearing from you.

SEALAND CONTRACTORS CORP.

PLEASE EMAIL OR FAX RESPONSE:

Attn: Rohit Reddy Chimmula, Estimator
Fax #: (704) 522-5494
Email: rohit@sealandcontractors.com

PROJECT:	NC-51 (Main Street) Improvements Project		
OWNER:	Town of Pineville		
PROJECT ID:	EB-5949		
BID DATE:	May 13, 2022 @ 4:00 PM		

HOURLY HAUL			
SIZE	Tandem	Tri-Axle	Quad
RATE			

TONNAGE HAUL			
	Martin Marietta Arrowood Quarry - 3.0 miles (APPROX.)	Vulcan Materials Pineville - 3.8 miles (APPROX.)	
#57, #67, #5, ABC			
Screenings			
Rip Rap 1,A,B			
Rip Rap II			
Boulders			

FIRM NAME	
# OF TRUCKS	

SEALAND CONTRACTORS CORP.

Self-performance and Quote Comparison

Line Item	Description	Quantity	Unit	Sealand Contractors Corp.			Clear Creek of Salubury			Theresa's Concrete Service, Inc.		
				Unit Price (Cost)	Total Amount		Unit Price	Total Amount		Unit Price	Total Amount	
20	2' 6" CONCRETE CURB AND GUTTER	650.00	LF	\$ 27.00	\$ 17,550.00		\$ 38.50	\$ 25,025.00		\$ 30.00	\$ 19,500.00	
21	4" CONCRETE SIDEWALK	850.00	SY	\$ 41.50	\$ 35,275.00		\$ 56.50	\$ 48,025.00		\$ 95.00	\$ 80,750.00	
22	CONCRETE CURB RAMPS	10.00	EA	\$ 1,250.00	\$ 12,500.00		\$ 3,500.00	\$ 35,000.00		\$ 3,000.00	\$ 30,000.00	
				\$	\$ 65,325.00		\$	\$ 108,050.00		\$	\$ 130,250.00	
Line Item	Description	Quantity	Unit	GML Contractor Services			Seed Silencers					
				Unit Price	Total Amount		Unit Price	Total Amount				
1	MOBILIZATION	1.00	LS	\$ -	\$ -		\$ 5,000.00	\$ 5,000.00				
48	TEMPORARY MULCHING	1.00	ACR	\$ 1,500.00	\$ 1,500.00		\$ 2,000.00	\$ 2,000.00				
49	SEED FOR TEMPORARY SEEDING	100.00	LB	\$ 4.00	\$ 400.00		\$ 5.00	\$ 500.00				
50	FERTILIZER FOR TEMPORARY SEEDING	0.50	TON	\$ 2,400.00	\$ 1,200.00		\$ 1,000.00	\$ 500.00				
55	SEEDING AND MULCHING	0.45	ACR	\$ 4,500.00	\$ 2,025.00		\$ 3,500.00	\$ 1,575.00				
56	MOWING	0.50	ACR	\$ 285.00	\$ 142.50		\$ 1,500.00	\$ 750.00				
57	SEED FOR REPAIR SEEDING	50.00	LB	\$ 10.00	\$ 500.00		\$ 20.00	\$ 1,000.00				
58	FERTILIZER FOR REPAIR SEEDING	0.25	TON	\$ 2,100.00	\$ 525.00		\$ 1,500.00	\$ 375.00				
59	FERTILIZER TOPDRESSING	0.75	TON	\$ 1,900.00	\$ 1,425.00		\$ 1,500.00	\$ 1,125.00				
60	SPECIALIZED HAND MOWING	10.00	MHR	\$ 95.00	\$ 950.00		\$ 100.00	\$ 1,000.00				
61	RESPONSE FOR EROSION CONTROL	3.00	EA	\$ 500.00	\$ 1,500.00		\$ 50.00	\$ 150.00				
				\$	\$ 10,167.50		\$	\$ 13,975.00				

From: [Scott Paramore](#)
To: [Rohit Chimmula](#)
Subject: Re: Estimate - NC 51 Main Street
Date: Tuesday, May 10, 2022 1:11:17 PM
Attachments: [ESTIMATE - NC 51 MAIN STREET.pdf](#)

Rohit,

Attached is the updated estimate.

Regards,

Scott

-----Original Message-----

From: Rohit Chimmula <rohit@sealandcontractors.com>
To: Scott Paramore <scottontime@aol.com>
Sent: Tue, May 10, 2022 12:40 pm
Subject: RE: Estimate - NC 51 Main Street

Scott,

Thank you for the quote. Can you also please include pricing for the Item 23 – Convert existing CB to JB – 2 EA?

Thanks,

Rohit Chimmula, Estimator
Sealand Contractors Corp.

From: Scott Paramore <scottontime@aol.com>
Sent: Tuesday, May 10, 2022 12:38 PM
To: Rohit Chimmula <rohit@sealandcontractors.com>
Subject: Estimate - NC 51 Main Street

Rohit,

Attached is the estimate for NC 51 Main Street Improvements.

Regards,

Scott Paramore
On Time Construction, Inc.
704-361-8478

On Time Construction Company, Inc.

Estimate

Date	Estimate
5/10/2022	1654

CONTRACTOR NAME
EB-5949 NC-51 (MAIN STREET) IMPROVEMENTS PROJECT

			Project
Description	Cost	Qty	Total
MASONRY DRAINAGE STRUCTURES (0-5') - EA.	1,700.00	7	11,900.00
PAYMENT DUE WITHIN 30 DAYS OF INVOICE DATE.			Total
			\$11,900.00

On Time Construction Company, Inc.

2917 Chamber Drive
Monroe, NC 28110

Bid

Date	Bid
5/10/2022	1654

Bidding Project

EB-5949
NC-51 (MAIN STREET)
IMPROVEMENTS PROJECT

Project#

EB-5949

Description	Qty	Cost	Item #	Section #	Total
MASONRY DRAINAGE STRUCTURES (0-5') - EA.	7	1,700.00	14	840	11,900.00
CONVERT EXISTING CATCH BASIN TO JUNCTION BOX - EA.	2	600.00	23	859	1,200.00
PAYMENT DUE WITHIN 30 DAYS OF INVOICE DATE.			Total		
			\$13,100.00		

NO DIGGING, BACKFILLING, AND BREAK ING OF THE PIPES

Phone #	Fax #
704.289.4000	

From: [Jason Bree](#)
Bcc: [Ashley Miller](#); [David Veitch](#); [Logan Gentry](#); [Casey Leeper@Ferguson.com](#); [Brian Glock \(striplingconcepts@gmail.com\)](#); [Todd O'Tuel \(todd.otuel@fortilline.com\)](#); [Warner Bailey](#); [Anthony Burman](#); [Tim Smith](#); [John Hamling \(JHamling@GarrisonEnterprise.com\)](#); [Scott Paramore \(scottontime@aol.com\)](#); [Wes Richter \(wes@ernstondefence.com\)](#); [Michael Lester](#); [Lynn Lippard](#)
Subject: NC-51 (Main Street) Improvements Project
Date: Friday, June 3, 2022 7:57:56 AM
Attachments: [Addendum #3 - REBID.pdf](#)
[NC-51 \(Main Street\) Improvements Project Item Sheet.pdf](#)
[Image002.png](#)

Attached please find Addendum 3 for the referenced project. The project is being re-bid next Friday, June 10th @ 10:00 AM. Please confirm or revise your quote accordingly. I've provided a link to the complete project documents below for your reference. Let me know if you have any questions.

☐ [NC-51 \(Main Street\) Improvements Project](#)

Thanks,

Jason Bree, Vice President

Sealand Contractors Corp. | 12210 Bree Drive, Midland, NC 28107

P: 704.522.1102 | F: 704.522.5494 | C: 704.491.2198

NC General Contractor License # 30748 | SC General Contractor License # G15686

jason.bree@sealandcontractors.com | www.sealandcontractors.com



TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 1 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	*Dollar Volume of Item
Name Diamond Trucking of NC Inc. Address 3525 Robinson Circle Charlotte, NC 28206	2	Undercut Excavation	79.00/Hour	8,216.00
	3	Grading	79.00/Hour	34,760.00
	5	Fnd Conit Matl, Minor Strs.	79.00/Hour	1,580.00
	7	15" RC Pipe Culv, Class IV	79.00/Hour	3,160.00
	8	Incidental Stone Base	79.00/Hour	790.00
Name Address	9	Milling Asph Pvmnt, 1.5"	79.00/Hour	3,950.00
	10	Asp Conc Base Crs, B25.0C	79.00/Hour	3,950.00
	11	Asp Conc Intr Crs, I19.0C	79.00/Hour	3,397.00
	12	Asp Conc Surf Crs, S9.5B	79.00/Hour	5,530.00
	32	Rock Excavation	79.00/Hour	395.00
Name Address	33	Haul. & Disp. Pet. Cont. Soil	79.00/Hour	790.00
	34	6" Water Line	79.00/Hour	2,765.00
	52	Silt Excavation	79.00/Hour	395.00
Name On Time Construction Inc. Address 2917 Chamber Drive Monroe, NC 28110	14	Masonry Drainage Structures	1,700.00	11,900.00
	23	Convert Existing CB to JB	600.00	1,200.00
Name Address				
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price:

If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.

If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 2 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	** Dollar Volume of Item
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** Dollar Volume of DBE Subcontractor
\$ 82,778.00

Percentage of Total Contract Bid Price
5.41 %

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price: *If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent. If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.*

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 1 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	**Dollar Volume of Item
Name Diamond Trucking of NC Inc. Address 3525 Robinson Circle Charlotte, NC 28206	2	Undercut Excavation	79.00/Hour	8,216.00
	3	Grading	79.00/Hour	34,760.00
	5	Fnd Conit Matl, Minor Strs.	79.00/Hour	1,580.00
	7	15" RC Pipe Culv, Class IV	79.00/Hour	3,160.00
	8	Incidental Stone Base	79.00/Hour	790.00
Name Address	9	Milling Asph Pvmnt, 1.5"	79.00/Hour	3,950.00
	10	Asp Conc Base Crs, B25.0C	79.00/Hour	3,950.00
	11	Asp Conc Intr Crs, I19.0C	79.00/Hour	3,397.00
	12	Asp Conc Surf Crs, S9.5B	79.00/Hour	5,530.00
	32	Rock Excavation	79.00/Hour	395.00
Name Address	33	Haul. & Disp. Pet. Cont. Soil	79.00/Hour	790.00
	34	6" Water Line	79.00/Hour	2,765.00
	52	Silt Excavation	79.00/Hour	395.00
Name On Time Construction Inc. Address 2917 Chamber Drive Monroe, NC 28110	14	Masonry Drainage Structures	1,700.00	11,900.00
	23	Convert Existing CB to JB	600.00	1,200.00
Name CES Group Engineers LLP Address 274 N Hwy 16 Business, Ste 300 Denver, NC 28037	3	Grading (Const. Survey)	7,200.00	7,200.00
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price:

If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent.

If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.

Project Special Provisions

TOWN OF PINEVILLE
JOHNSTON DRIVE REALIGNMENT

APRIL 2022

LISTING OF DBE SUBCONTRACTORS Sheet 2 of 2				
Firm Name and Address	Item No.	Item Description	*Agreed upon Unit Price	** Dollar Volume of Item
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				
Name Address				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the DBE subcontractor, and these prices will be used to determine the percentage of the DBE participation in the contract.

**** Dollar Volume of DBE Subcontractor**
\$ 89,978.00

Percentage of Total Contract Bid Price
6.16 %

**** Dollar Volume of DBE Subcontractor Percentage of Total Contract Bid Price:** *If firm is a Material Supplier Only, show Dollar Volume as 60% of Agreed Upon Amount from Letter of Intent. If firm is a Manufacturer, show Dollar Volume as 100% of Agreed Upon Amount from Letter of Intent.*

Project Special Provisions

Executive Summary

The Executive Summary is a summation of this agreement and is not intended to be used as the agreement between the Department (North Carolina Department of Transportation) and the Party (Entity).

Entity: Town of Pineville

County: Mecklenburg

TIP: EB-5949

Project: Johnston Drive Realignment

Scope: the realignment of Johnston Drive with Church Street at NC 51 (Main Street).

Eligible Activities:

PE		Design
		Environmental
ROW		ROW Acquisition
		Utility Relocation
CON	48422.3.1	Construction
FEDERAL-AID	0051036	

FUNDING TABLE

Fund Source	Federal Funds Amount	Reimbursement Rate	Non-Federal Match \$	Non-Federal Match Rate
STP-DA	\$1,175,000	80 %	\$293,750	20 %
Total Estimated Cost			\$1,468,750	

COST AND FISCAL LIABILITY TABLE

Description	Amount
Project Funding (Federal Funds)	\$1,175,000
Project Funding (Non-Federal Match)	\$293,750
Total Project Funding (Federal Funds + Non-Federal Match)	\$1,468,750
Total Estimated Cost of Project	\$2,610,000
Agency Additional Liability (Total Estimated Cost In Excess of Total Project Funding)	\$1,141,250
Agency Total Liability (Non-Federal Match + Estimated Additional Liability)	\$1,435,000

Responsibility: The Town of Pineville shall be responsible for all aspects of the project.

Agreement ID # 9122

July 2022

A hot month and a lot going on at Pineville Parks and Recreation Department. Rock'n & Reel'n hosted an event each Friday evening in July. People were able to enjoy a nice evening with two acoustic bands (Garrett Huffman and Jazz Group Project, a full 80/90 band Kids in America, and a movie night with Cruella. Muscadine baseball wrapped up in July, we were sad that weather cancelled the All-Star Game. We are excited to have them back next season. Summer camp took field trips to Carowinds, Spare Time and Sky Zone plus played games and participated in crafts each day here at the Belle. Splashpad is a constant hit each day as 100's of kids and adults cool off. We are busy with Shelter Rentals on the weekends and our staff is working hard to accommodate all rentals and keep the parks clean.



Special Events

Rock'n & Reel'n – July 8th – Kids in America, July 15th – Garrett Huffman, July 22nd – Cruella Movie, July 29th – Jazz Group Project

Storytime in the Park – Mecklenburg County Library hosts Storytime in the park each Wednesday morning from 10am – 11am. 199 Kids/151 Adults

General Programming – Belle Johnston

Pickleball: 60 Pickleball signups/participants in April. Open Pickleball times are Mondays and Friday from 9am-12pm and Wednesdays from 1:30pm-4:30pm

Cookie Decorating Classes: There was one Cookie class on July 14. 12 participants

Cardio Funk: Lem holds class on Tuesdays at 6:30pm. 26 participants

Karate: They hold classes on Wednesdays. One class on July 27. 5 participants

Summer Camp – 4 sessions. 200 participants

July 2022

Lake Park

Bootcamp with Lia – Bootcamp meets 5:45am – 6:45am M/W/F in Lake Park. 52 participated

Tai Chi: Hold classes T/Th/Sat under the large shelter/stage. 174 participated

The Hut

Senior Fit – Senior Fit takes place at the Hut M – Thursdays. 123 participants

Mom & Me Fitness Class – Class meets Fridays mornings at The Hut – 38 participants

Jack Hughes

Facility Rentals

*Shelter 1 at JH: 0 Rentals

*Shelter 2 at JH: 1 Rentals

*Shelter 3 at JH: 0 Rental

Jack Hughes Special Events

July 9th: Old North State League All-Star Game and Home Run Derby

July 23rd-24th: Perfect Game Tournament – Cancelled

July 29th-30th: Old North State League Championship Series – Cancelled

Baseball Field Usage

Mecklenburg Muscadines continues and ended their season in July. They had 9 home games in July.

On Deck continued to use all fields 2 and 4 during July.

Pineville Fire Department used the stadium two times in July.

Multipurpose Field Usage

No use in July

July 2022

Park Maintenance Update

Belle Johnston/ Lake Park

Cut weekly
Weed control as needed
Daily Park Checks
Replaced broken boards on bridge at large shelter
Pressure washed sidewalk leading to rear of Center
Monthly building inspection

The Hut

Cut weekly
Weed control as needed
Set up Council
Monthly building inspection

Cemetery

Cut weekly
Weed control as needed

Dog Park

Cut as needed
Removed fallen limbs
Repaired fence from fallen tree

Jack Hughes

Cut weekly
Irrigation repair main line
Fertilized fields 1 and 2
Daily field prep
Set up beer garden weekly
Replaced irrigation control panel field 1 and 2
Sprayed weeds as needed
Monthly building inspection

Splashpad

Replaced chlorine Pump
Filled Muriatic acid
Diagnosed pump troubles
Diagnosed rain diverter issues
Monthly building inspection

Pineville Memorial

Marked irrigation for aerations

July 2022

Social Media

Facebook

Post Reach: 12,289

Post Engagements: 1,706

New Page Likes: +60

Total Page Likes: 4,064

Total Page Followers: 4,401

Instagram

New Followers: +25

Total Followers: 1,046

Facility Rentals

The Hut: 4 Rentals

The BJCC Dining Room: 5 Rentals

The BJCC Gym: 3 Rentals

Large Shelter: 12 Rentals

Medium Shelter: 29 Rentals

Tot Lot at Lake Park: 5 Rentals

***Shelter 1 at JH:** 0 Rentals

***Shelter 2 at JH:** 0 Rentals

***Shelter 3 at JH:** 0 Rental

*WE DO NOT RENT JACK HUGHES SHELTERS WHEN THERE IS A TOURNAMENT GOING ON.

Administration

Daily Park Walks by all Full-Time staff

Monthly Building Inspection by all Full Time Staff

Hut rental showings provided monthly by all staff

Weekly field trips with Summer Camp by all Full Time Staff

Weekly staff meetings with staff

Full Time Staff works Rock'n & Reel'n each Friday

Matthew and Jordan met with National Fitness Campaign to discuss outdoor equipment

July 2022

Weekly Facility Rentals/ Pull all rentals for the week/Make Kiosk Signs/ Make Check in/out sheet for Park Aides/ Check Request (Refunds/Deposits) after rentals are complete

Jordan did a presentation for the Quarterly Pineville Community Partners meeting on upcoming events, programs and Fall Fest.

Jordan and Scott met with Roger from Vortex regarding issues at the Splash Pad.

Jordan met with Mark Lippard regarding the new Fall Festival location.

Jordan and Matt met with David Chavez with National Fitness Campaign regarding the fitness court in Lake Park.

Jordan attended two Boy Scout meetings.

Jordan met with Michael Hill regarding his upcoming Eagle Scout project for Lake Park and Jack D. Hughes Park.

Jordan and Scott attended the monthly Safety Team meeting.

Jordan spoke with the new carnival ride vendor for Fall Fest and set up meetings for August.

Jordan met with Christopher McCullough regarding possible partnerships for his organization Alliance Health.

Heather cleans BJCC daily

Erin and Heather audit shelter rentals weekly

Heather updates large kiosk monthly

Heather schedules community service workers/ show them what to do when they arrive

Erin creates and sends out new social media posts each week.

Erin/Heather order office supplies and cleaning supplies both weekly and monthly

New Program per Heather: Corresponding with Alex Guererro to get a kids Yoga program in the park for every Friday starting Sept. 2. Program contract, insurance certificate, and background check secured. Program is a go!

New Program per Heather: Corresponding with Hailey Chase to get a Preschool Prep Class in the dining room on Wednesday's starting Aug. 24th.

Heather is corresponding with Jaime McCaughna to offer Yoga classes at the Hut on Thursdays starting Aug. 4th. Program contract and insurance secured. Waiting on background check.

Matthew met with Kimley Horn concerning McCullough Greenway project



Department Update

PUBLIC WORKS

To: Town Council

From: Chip Hill

Date: August 1, 2022

Re: Public Works Updates

BMP Police Department: Our department pruned and mulched the storm drain water detention pond at the PD. (see pictures #1 & 2)

Water Tank at the Mill: The department with the use of a bushhog, in order to improve site visibility, cut the weeds and the grass under the water tank at the Mill. (see picture #3)

Sidewalks on Hwy 51: The sidewalks on Hwy 51 are now complete. The plan is to start Town Centre Blvd this month. (see picture #4 & 5)

Sinkhole on Johnston Drive: A sink hole developed on Johnston Drive. We have temporarily repaired it until we can repair the entire storm line. (see picture #6, 7 & 8)

Paving FY 22-23: Red Clay was rewarded the bid for paving this year. Their bid was the lower of three bids received.

Miller Road: Mecklenburg County along with myself inspected Miller Road. As of last week, the repairs have not started.

Meyer Lane: Per the contractor the entire project should be completed by the end of the month depending on the weather.

McCullough Inspection Repairs: Repairs are progressing as expected.

Town Hall Move: Our department purchased the boxes and moving materials for Town Hall's move. We are scheduled to help with their move in a couple of weeks.

Price Street Storm Line: There is 110 LF of storm line that runs through the old sub-station parking lot that needs to be repaired. We are waiting on the contractor's quote.

*see attached spreadsheet or permits issued/pending FY 23

















PERMITS ISSUED/PENDING

COMPANY

Fiscal Year 2023

LOCATION

STATUS

PERMIT NO

Electricities/AJ Molnar Southeastern Consulting Engineers
 Spectrum/Melissa Sherrill Telics/Angie Jewett Telics
 Charlotte Water/Zach Pellicone
 AT&T/Kara Rydill/Lee Sadler #A02BQ76
 Spectrum/Tracey Kendall/STS Cable Services
 Southeastern Consulting/A.J. Molner/Dynetek
 Level 3 Communications/Cindy Crews/Outsource Inc
 Charlotte Water/Zach Pellicone/Geneva Montgomery

813 Main/810 Main to 511 Main/516 Main
 10518 Cadillac Street/Pineville Road
 632 Eagleton Down Drive/Downs Rd and cul de sac
 11925 Carolina Logistics Drive
 9132 Willow Ridge Road/Willow Bend Circle
 517 Main Street/Jack Hughes Lane/813 Main Street
 505 Main Street/Reid Lane
 233 Eden Circle/Cone Ave

Cancelled
 Cancelled
 Issued PW20220801EAGLETON632
 Pending
 Pending
 Pending
 Pending
 Issued PW20220801EDENCIRCLE233



PINEVILLE POLICE DEPARTMENT

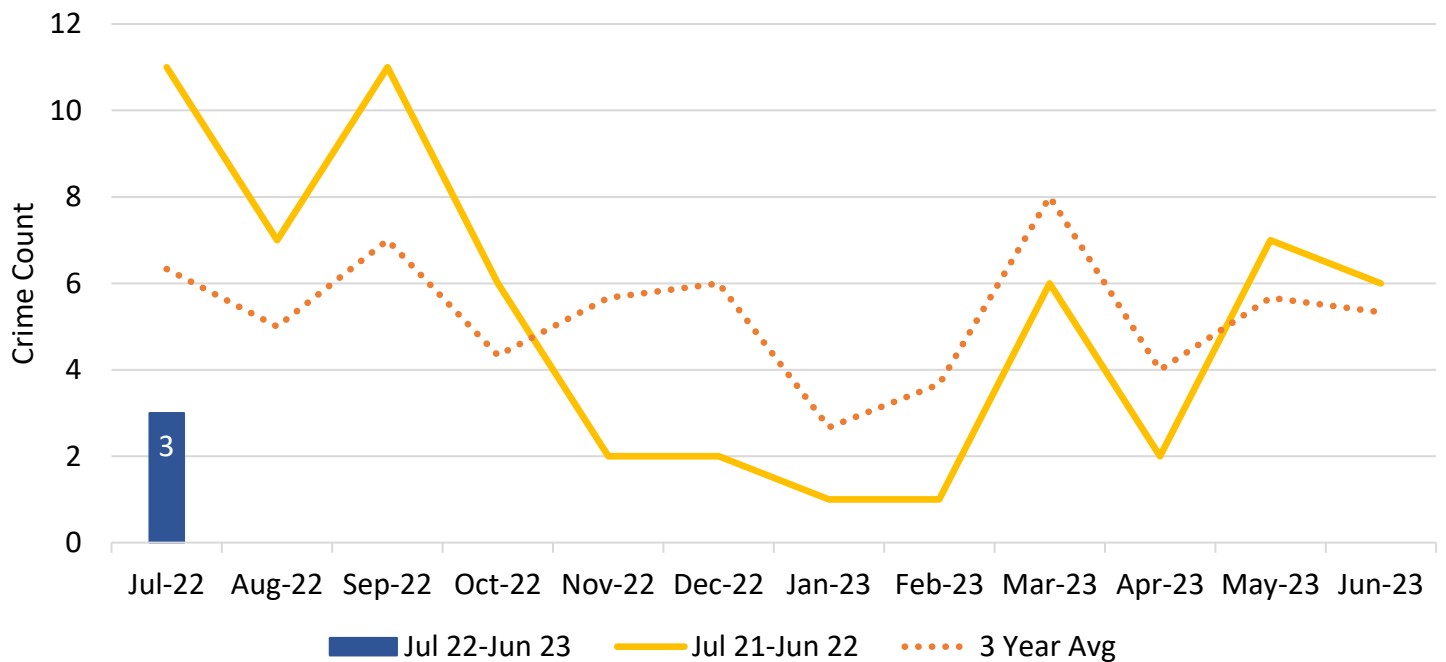
MONTHLY REPORT

July 2022

Crime Goals

Below is the evaluation of the department's crime goals. Goals are measured for 12 months based on the fiscal year. For the year of July 2022 – June 2023, the goals are to reduce violent crime by 5% and reduce property crime by 7%.

Part 1 Offenses: Violent Crime



Goal: -5%

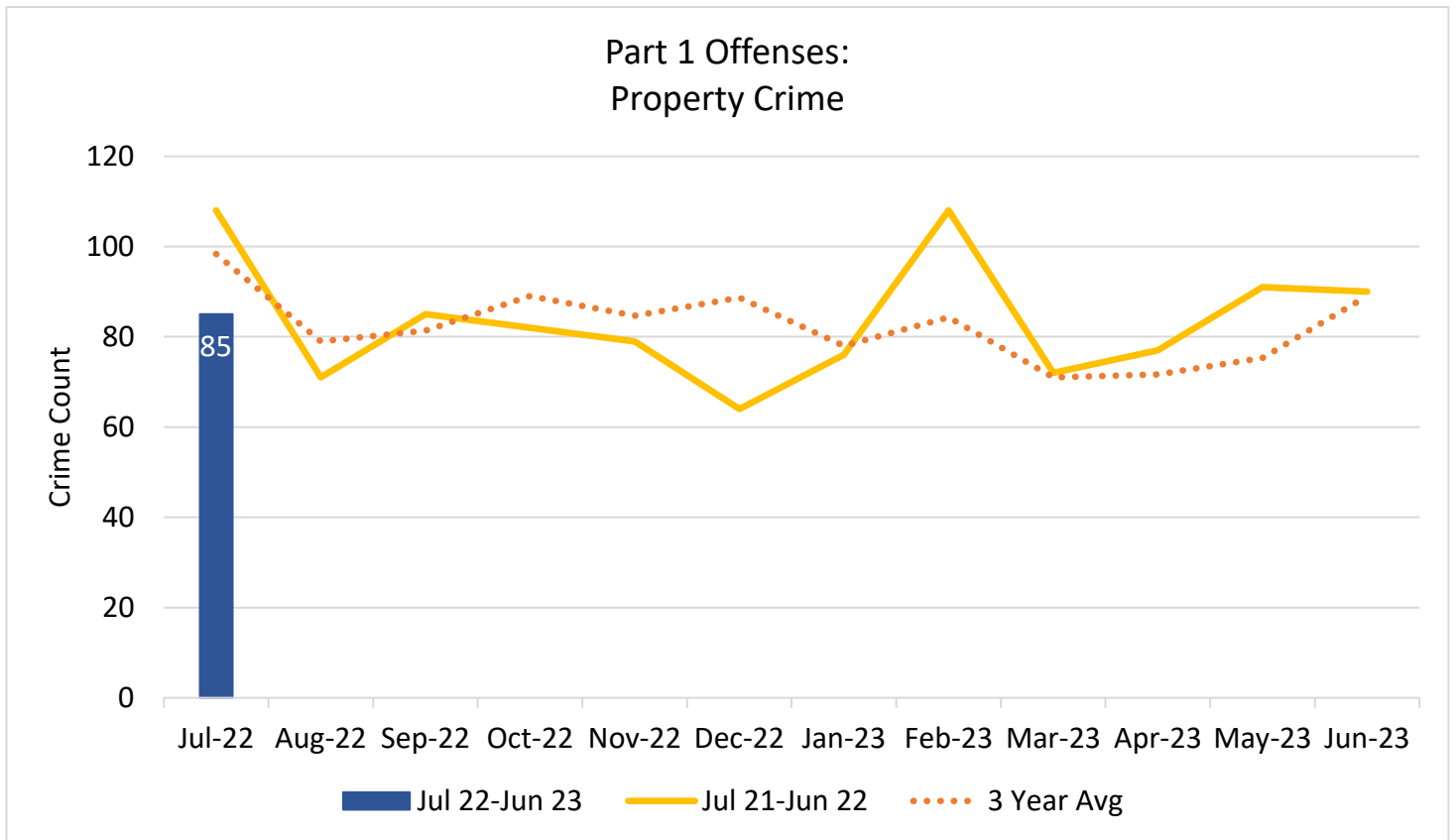
Baseline Jul 21 – Jun 22: 62

Target Jul 22 – Jun 23: 58

Jul 22: 3

Comparison to Jul 21: **-72.73%**

Comparison to Jul 3 Year Avg: -52.63%



Goal: -7%

Baseline Jul 21 – Jun 22: 1,003

Target Jul 22 – Jun 23: 932

Jul 22: 85

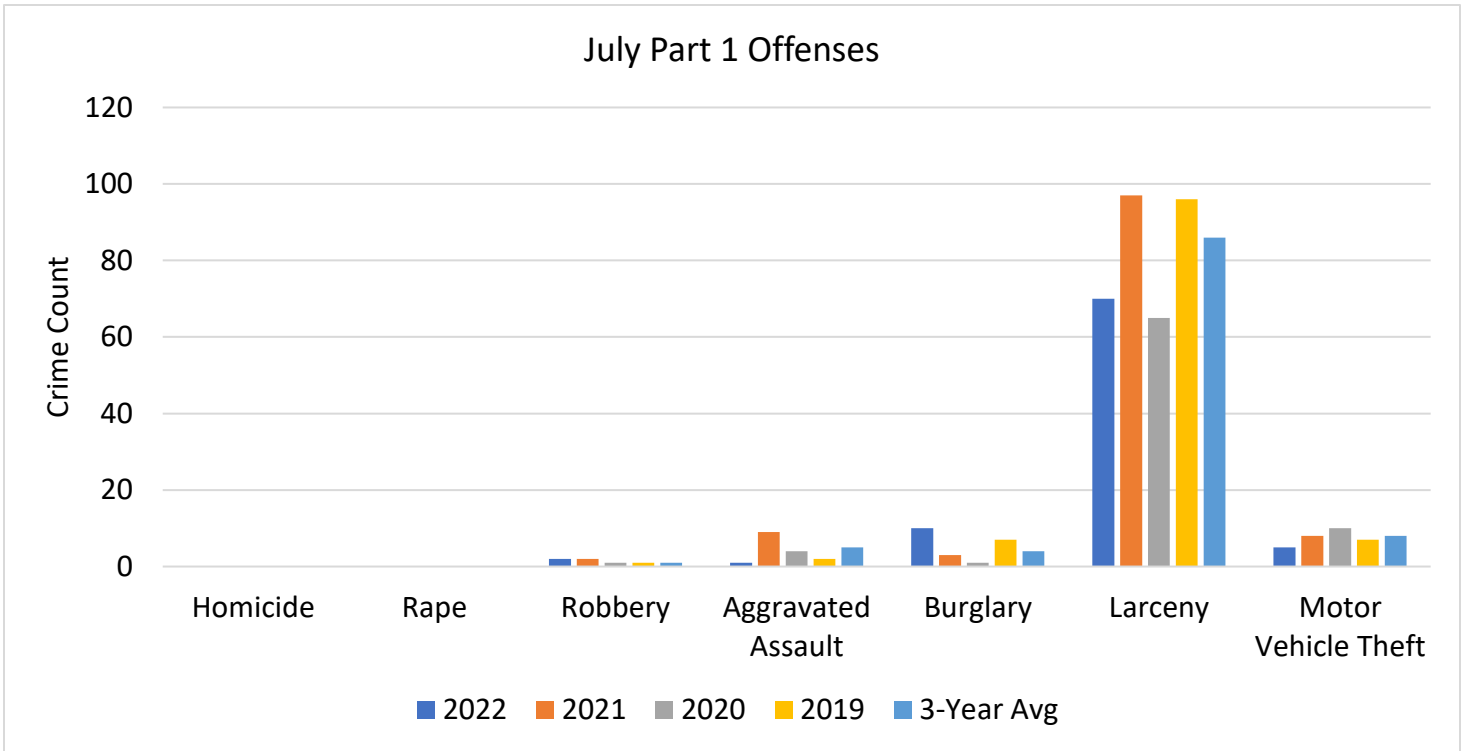
Comparison to Jul 21: **-21.30%**

Comparison to Jul 3 Year Avg: -13.56%

Monthly Crime Statistics

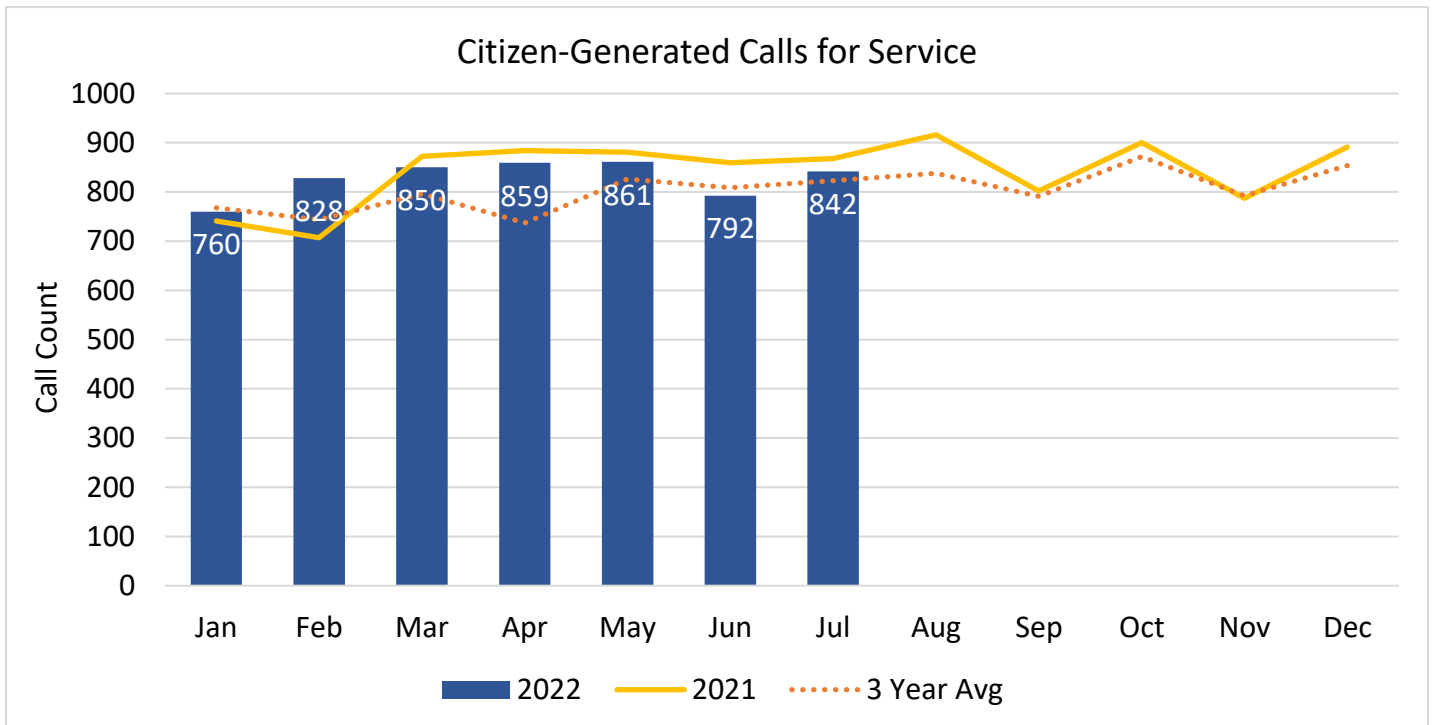
Below is a table and bar graph of the counts for Part 1 Offenses in July. For comparison, the same is shown for the past 3 years. The average of the 3 years was calculated.

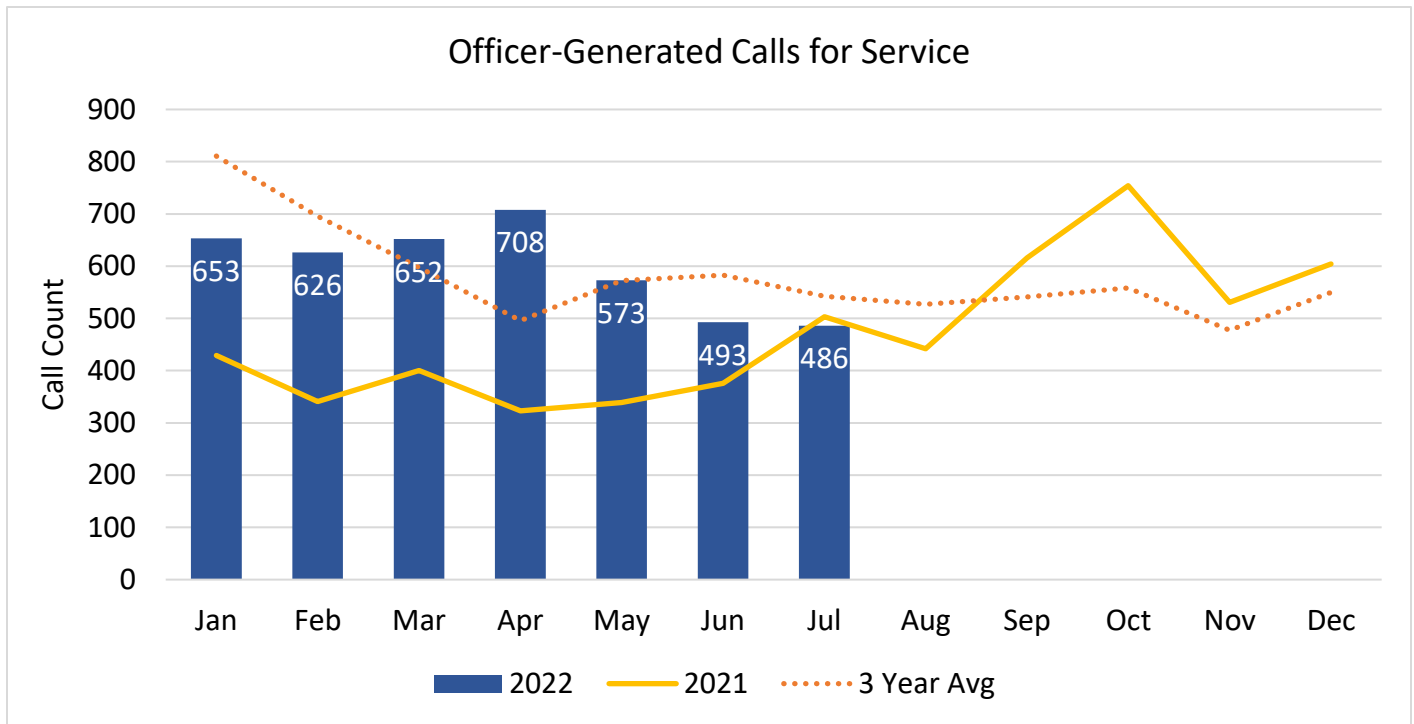
July Crime Statistics Part 1 Offenses					
	2022	2021	2020	2019	3-year average (2019-2021)
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	2	2	1	1	1
Aggravated Assault	1	9	4	2	5
Burglary	10	3	1	7	4
Larceny	70	97	65	96	86
Motor Vehicle Theft	5	8	10	7	8



Calls for Service

The graphs below display the number of calls for service in comparison to previous months and the previous 2 years. The first graph is citizen-generated calls. The second graph is officer-generated calls (zone checks and foot patrols excluded).





*10-35 and 10-36 removed

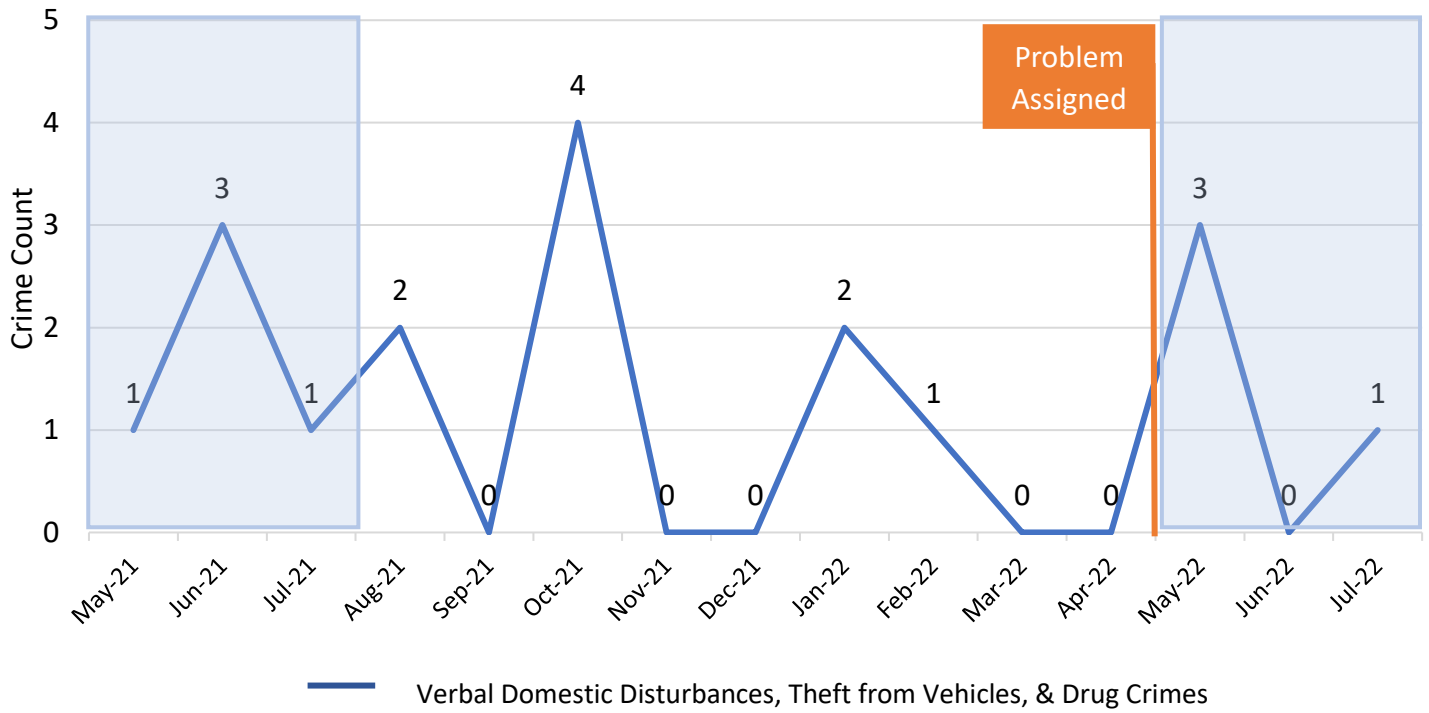
Problem Locations

The following problem locations have been identified using 3 years of calls for service and crime data, showing a consistent crime problem over the years. Each month, these locations are evaluated based off the crime and disorder the assignee was tasked to handle. Problem locations are evaluated for 6 months to see if responses were successful.



2. Extended Stay

% Change from May-Jul 2021-2022: **-20%**

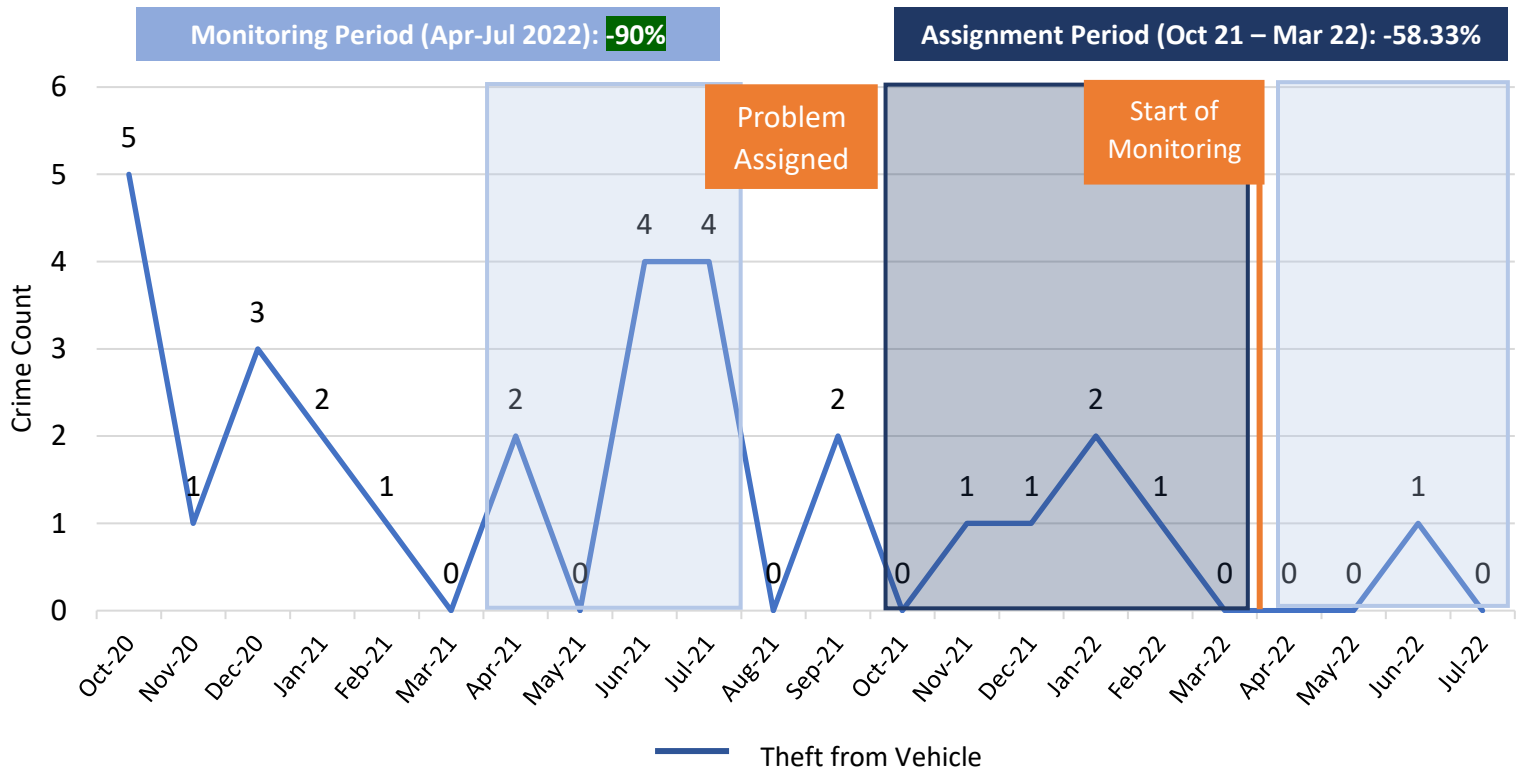


3. Belk

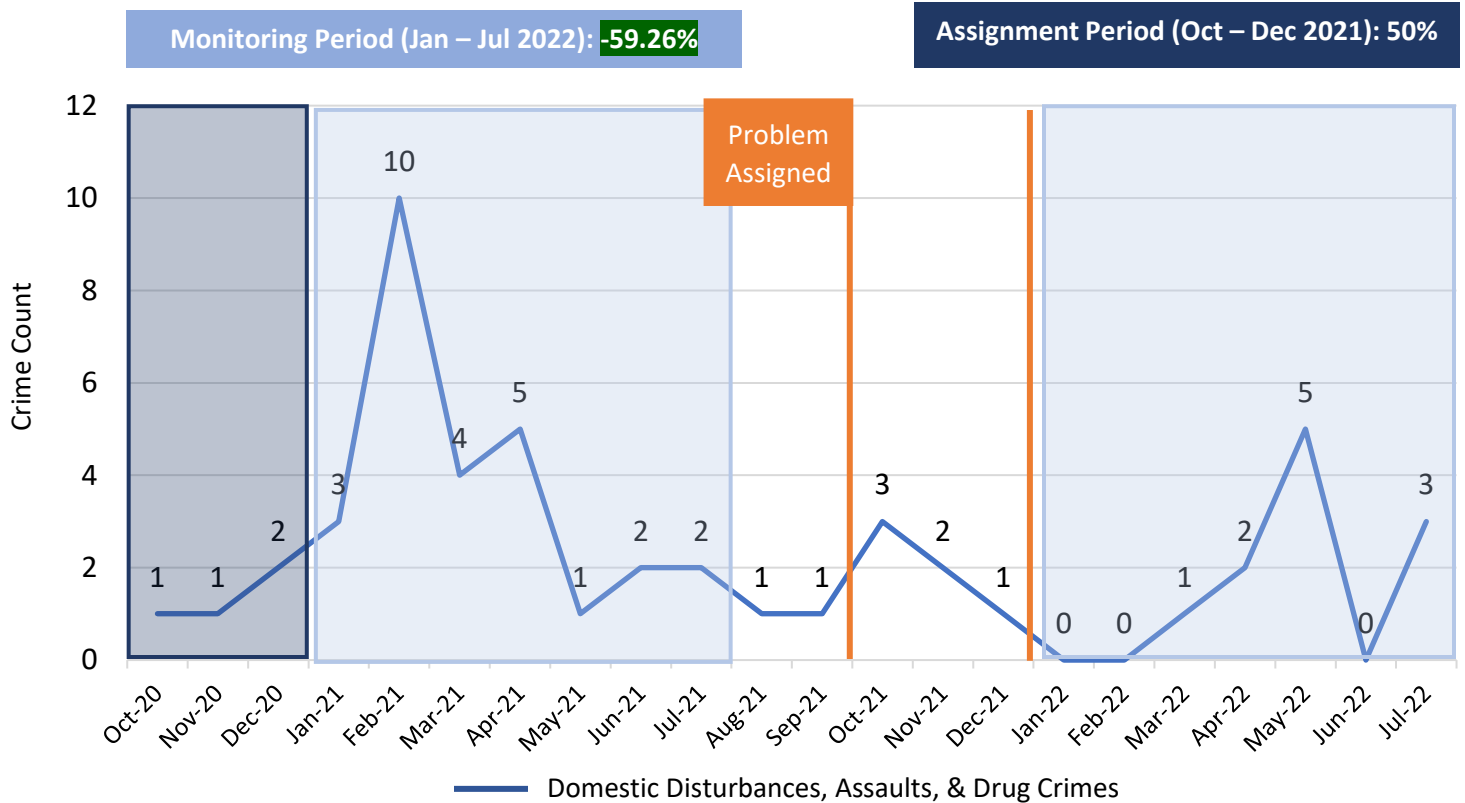
% Change from May-Jul 2021-2022: **-50%**



4. Comfort Suites - **MONITORING**



5. Suburban Lodge - **MONITORING**

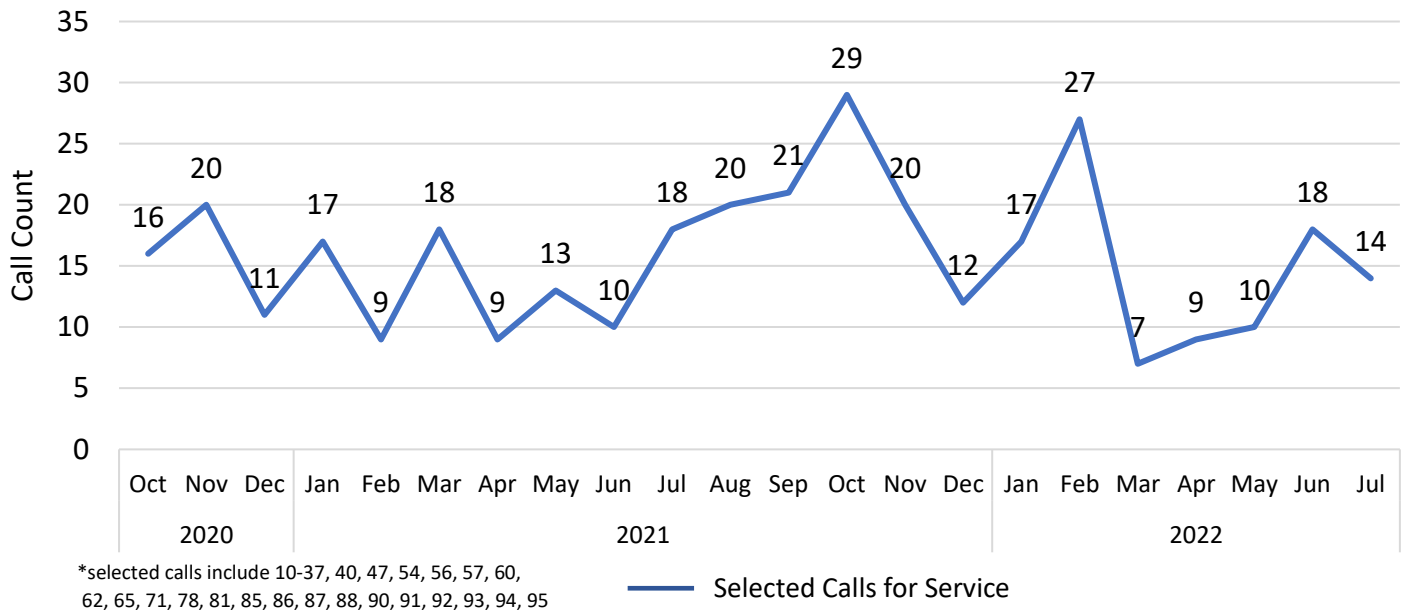


Problem Area

The problem area is Sabal Point Apartments. It was identified using 3 years of calls for service and crime data, showing a consistent crime problem over the years. Each month, the evaluation is based off the crime and disorder the assignee was tasked to handle. Since a problem area has more crime and disorder than a problem location, the evaluation is broken down into several charts. Problem areas are evaluated for 6 months to see if responses were successful.

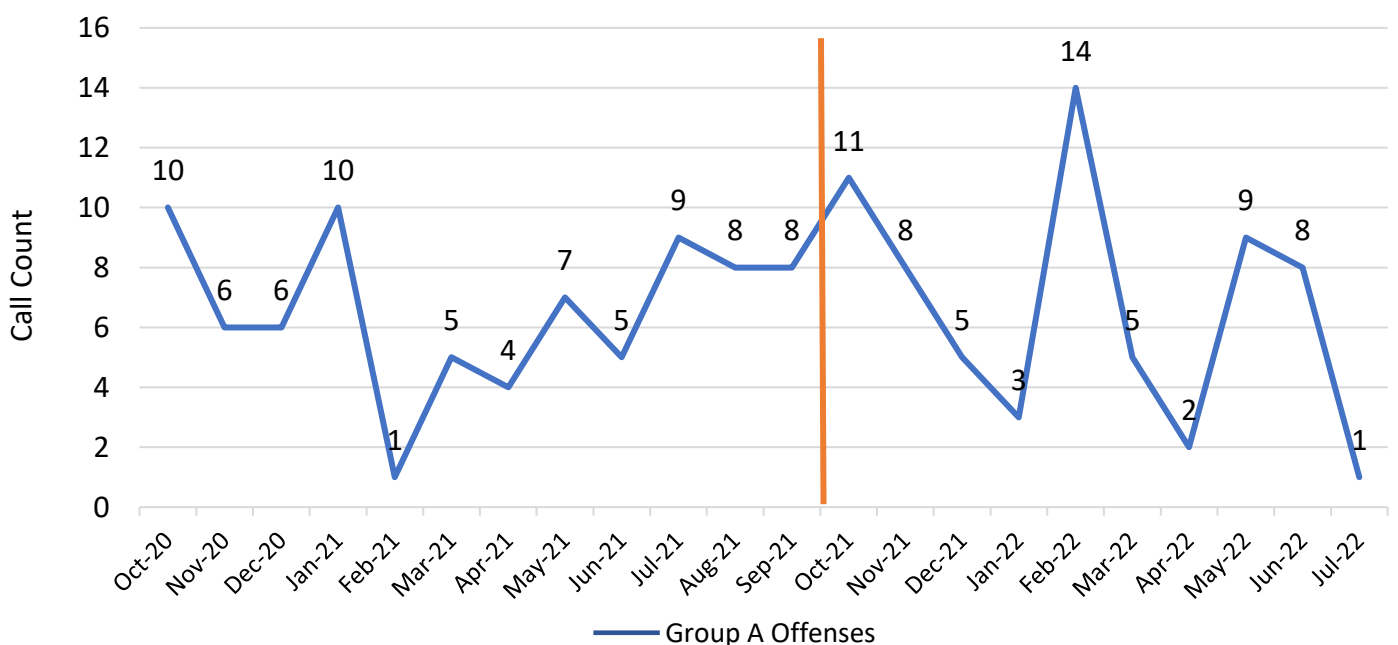
Evaluation 1: Citizen Generated Calls for Service

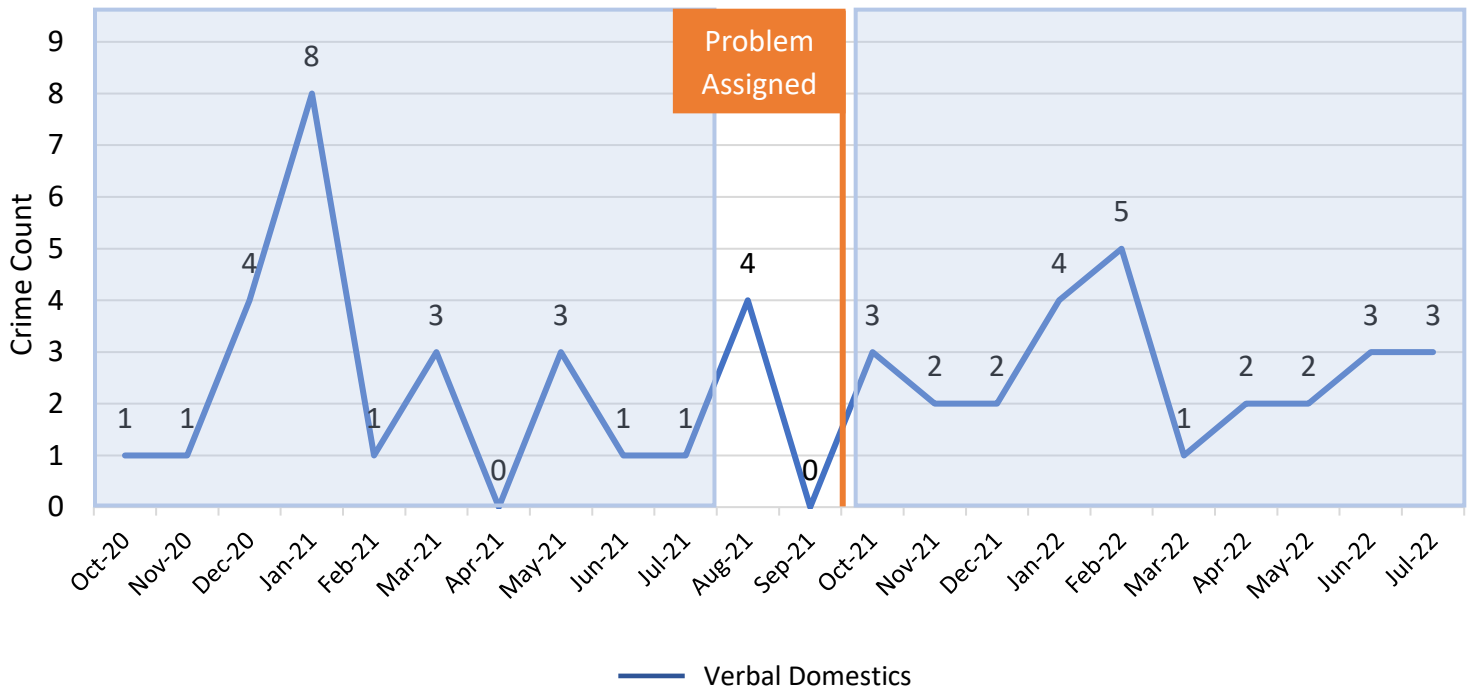
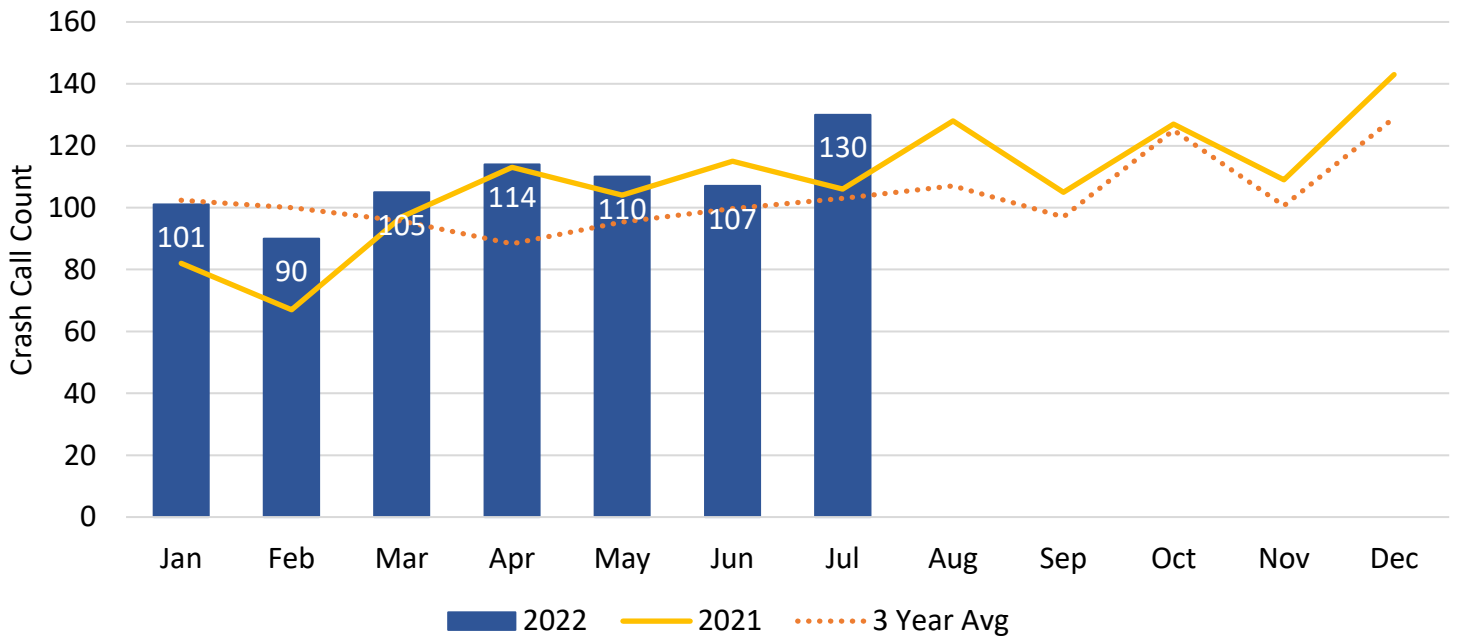
% Change from Oct-Jul 2020/21-2021/22: **10.64%**



Evaluation 2: Group A Offenses

% Change from Oct-Jul 2020/21-2021/22: **6.35%**



Evaluation 3: Verbal Domestic Disturbances% Change from Oct-Jul 2020/21-2021/22: **17.39%****Traffic Crash Data****Calls for Traffic Crashes**

*Counts are 10-50 and 10-54 calls with a disposition of report taken or rendered assistance MI

July Traffic Enforcement

Traffic Enforcement Type and Dispositions

Enforcement	Count
10-61 Traffic Stop	266
10-31 Project Police Presence	24
Citation Issued	105
Warning	145
Report Taken	12

*officer-generated 10-31's and 10-61's; unfounded removed

Locations of Traffic Enforcement

Street Name	Count
NC-51	60
MAIN ST	52
CAROLINA PLACE PKY	20
PARK RD	16
POLK ST	15
DOWNS CIR	12
I-485 INNER	12
ROCK HILL-PINEVILLE RD	8
JOHNSTON RD	8
I-485	8
LEE ST	7
CENTRUM PKY	7
LEITNER DR	7
SOUTH BLVD	5
MCMULLEN CREEK PKY	5
CRANFORD DR	4
SABAL POINT DR	3
PINEVILLE RD	3
LANCASTER HWY	3
MCCULLOUGH CLUB DR	3
MEADOW CREEK LN	3
OAKLEY AVE	2
I-485 OUTER	2
BLUE HERON	2
CHURCH ST	2
DOVER ST	2
DOWNS RD	2
PARK CEDAR DR	2

FRANKLIN ST	1
WIKI WIKI	1
COLLEGE ST	1
INDUSTRIAL DR	1
LYNDON STATION DR	1
DORMAN RD	1
RIDGELY GREEN DR	1
FELDFARM LN	1
LAKEVIEW DR	1
PARK RD EXT	1
STONEY TRACE DR	1
TOWNE CENTRE BLVD	1
PLUM CREEK LN	1
MILLER ST	1
LOWRY ST	1
Grand Total	290

July Community Engagement

- Met with Jane and Sgt. Harb, Spoke with Sgt. Galuski re: 210708-1573, Spoke with Kavita of Suburban (notes in Teams), Spoke with Larry Arnold re: ice cream truck details at Sabal's Back to School Bash, Met with Jafad of Hampton, Kat of Hilton, Coreen of Fairfield and Teresa of Sheraton Four Points, re: "DV housing".
- Met with Stephanie of Meadow Creek re: 220704-1560 (notes in Teams), Met with Angela (Store Manager) of Walmart and Lance of Sam's re: donation for National Night Out, Met with Jessica of Willow re: OCA: 220630-1525, Citizens Academy.
- Met with Tonzel (GM) and Tom (GM) of Food Lion re: National Night Out, Met with homeless Lester Hardin re: Behavior Health meeting this Friday, 2pm, Assisted Adam Days with homeless subject, Heather, on property of Pineville Church, Met with Danielle of The Pines re: Mr. Flowers and Ms. Leach (notes in Teams), Met with Gena of Sabal (notes in Teams).
- Citizens Academy, Spoke with Jane re: Sabal's back to school bash, Assisted Adam Days, Met with Anji of The Ascent re: 220621-1447, Signed up for a Sam's Club membership for PD, Bless The Badge, Spoke with Gena of Sabal re: Corporal Naito and Malin.
- Went over purchasing options re: Community Outreach items given out, Citizens Academy, International Press, Meck. County Behavior Health with homeless Lester Hardin, Jr. re: services (SSI, etc.) benefits.
- Met with Johanna Covault of CIT Meck County re: Ms. Richards for an extensive time. Citizens Academy, YES re: Sabal's Back to School Bash, Met with Sgt. Harb and Chief of Police Blair Myhand, Met with Tyler (GM) of Olive Garden.
- Citizens Academy, Provided lunch for homeless man and spoke with his mom who wired money for him to get back home to her in Raleigh
- Lowes – purchased two trash cans for PD, Assisted Adam Days on several calls including traffic detail due to traffic lights out, Pick up cater at Olive Garden, Citizen Academy.
- Baker Days Shift Coverage, Met with Stephanie of Meadow Creek, Danielle of The Pines and Anji of The Ascent.
- National Night Out, Sabal Back to School bash, Zoom with Josh & Jane, etc. re: Pineville Community Partners, Met with Veronica of Sabal, Jessica of Willow, and Shameka of Plum Creek (notes in Teams).
- National Night Out, CPTED Oasis landscape, Court (went to trial).
- National Night Out, Met with Angela (Store Manager of Walmart), Lance (Store Manager of Sam's) and Pastor Duncan of Pineville Church re: National Night Out and Pastor Duncan Sabal Point Back to School bash, Met with Willow management re: Morgan Johnson, Met with the owner and management of Ice House, Typed up CPTED from yesterday,
- Met with Tom and Tonzel, Store Managers of Food Lion re: National Night Out, Court, Assisted Adam Days,

- National Night Out, Spoke with Melissa Zhiss re: homeless Lester Hardin (notes in Teams), Went to Absolute Recovery with Captain Copley, National Night Out Event.
- Interview with Charlotte Observer.
- CIT Liaison meeting, Meeting with Alliance Health, Meeting with CMPD in reference to co-responder, Zoom meeting with CRYISIS for co-responder.
- Keep Social Media up daily
- Summer Series Events at the Park

PINEVILLE COMMUNICATION SYSTEMS

INTERNET RESULTS FOR MONTH ENDING 7-31-2022



REVENUE AREA	TOTAL FOR MONTH ENDING 06-30-2022	INSTALLS SOLD IN & COMPLETED IN JUNE.	DISCONNECTS TAKEN & EXECUTED IN JUNE.	TOTAL INTERNET FOR MONTH ENDING 6-30-2022	INSTALLS SOLD AND COMPLETED IN JULY.	DISCONNECTS TAKEN AND EXECUTED IN JULY.	MONTH ENDING 7-31-2022	SOLD IN JULY. ON SCHEDULE FOR INSTALLATION IN AUG.	TOTAL INTERNET FOR MONTH ENDING 7-31-2022
ILEC	494	4	-3	494	12	-2	504	1	505
CLEC	632	4	-4	632	10	-11	631	0	631
TOTAL	1126	8	-7	1126	22	-13	1135	1	1136

****13-DISC 10-Moving out of area, 2-DISC to go to competitor, 0-DISC non pay, 0-Removing Service****

REVENUE AREA	PENDING INSTALLS ON SCHEDULE SOLD IN JULY. INSTALLING IN AUG.	SOLD WAITING FOR SIGNED CONTRACT SO THEY CAN BE SCHEDULED	UPGRADES IN SPEED COMPLETED IN JULY. WILL INCREASE REV	UPGRADE S SOLD AFTER BILLING WILL INCREASE REV SEPT.	EXISTING COPPER CUSTOMER CONVERTING TO FIBER ON SCHEDULE FOR JUNE. OR COMPLETED IN JULY.	PENDING DISCONNECTS ON SCHEDULE FOR JUNE/JULY
ILEC	1	0	0	0	4	0
CLEC	0	0	0	0	0	0
TOTAL	1	0	0	0	4	0

****THE 0 PENDING DISCONNECTION OF SERVICE ORDERS ****

**** 7-THESE CUSTOMERS SOLD IN JULY. BUT INSTALLATION SCHEDULED FOR AUG.****

****WE HAD 0 EXISTING ACCOUNTS THAT UPGRADE SPEED IN JULY.****

****4 EXISTING COPPER CUSTOMERS CONVERTING TO FIBER IN JULY. ****

100M TO 1 GIG SPEED OFFERING TAKE RATE TO DATE

INTERNET RESULTS FOR MONTH ENDING 7-31-2022			SERVICE AREA	RES OR BUS	SPEED	NET GROWTH/LOSS FROM PREVIOUS MONTH	
	Jun-22	Jul-22					
1135	198	200	CLEC	RES	100M		
	68	63	CLEC	RES	200M		
	19	23	CLEC	RES	400M		
	192	195	CLEC	RES	1 GIG		
	1	1	CLEC	BUS	100M		
	6	6	CLEC	BUS	GIG		
	20	23	ILEC	BUS	100M		
	7	7	ILEC	BUS	200M		
	6	6	ILEC	BUS	400M		
	22	22	ILEC	BUS	1 GIG		
	119	125	ILEC	RES	1 GIG		
	133	134	ILEC	RES	100M		
	21	24	ILEC	RES	200M		
	7	8	ILEC	RES	400M		
	819	837				18	
0.737444934							
74% of our Internet subscribers now subscriber to 100M or higher (increase by from previous month)							



RESIDENTIAL AND BUSINESS LINE COUNT MONTH ENDING 7-31-2022

	TOTAL FOR MONTH ENDING 06-	TOTAL FOR MONTH ENDING 07-	
CLEC LINE COUNT			NET LOSS/GAIN AS OF 07-31-2022
BUS	45	45	0
RES	119	118	-1
SUB TOTAL	164	163	-1
	TOTAL FOR MONTH ENDING 06-	TOTAL FOR MONTH ENDING 07-	
ILEC LINE COUNT			NET LOSS/GAIN AS OF 07-31-2022
BUS	358	357	-1
RES	140	138	-2
SUB TOTAL	498	495	-3
GRAND TOTAL	662	658	-4



PCS REWARDS MONTH ENDING 07-31-2022

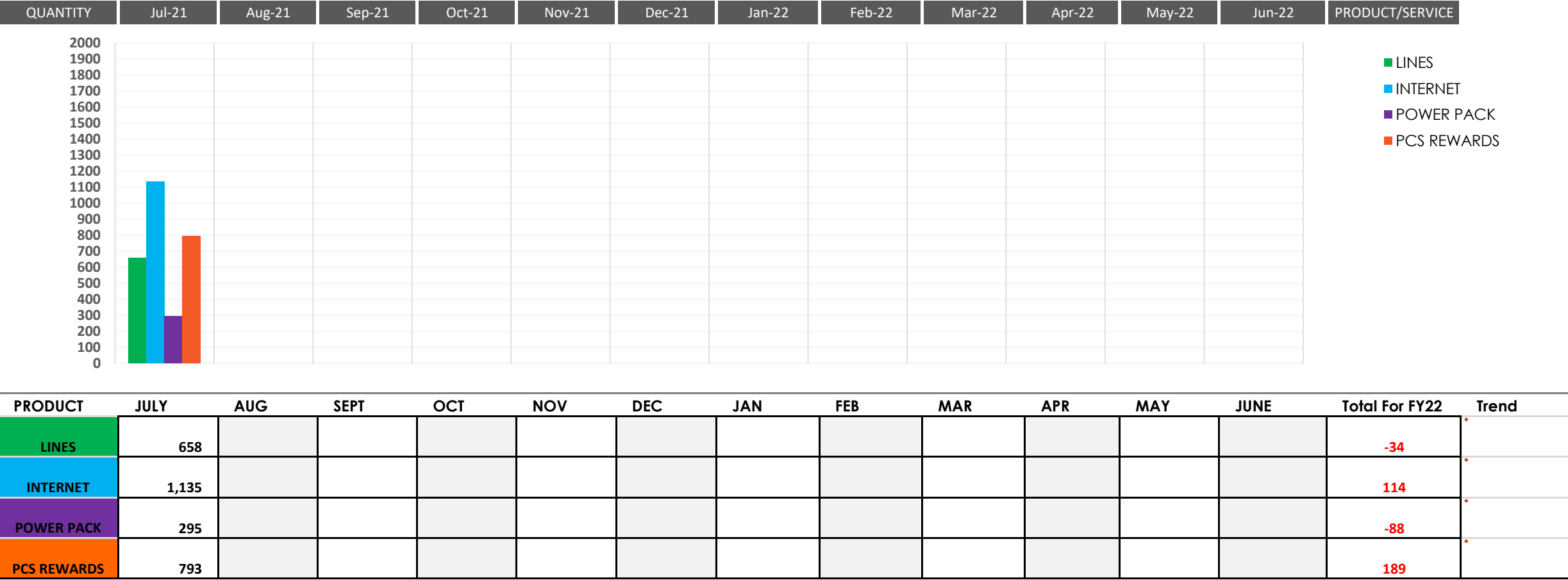
INTERNET RESULTS FOR MONTH ENDING 7-31-2022

NET DECREASE OF POWER PACK DISCOUNTS -6

NET INCREASE OF SUBSCRIBERS RECEIVING DISCOUNTS 6

PCS REWARDS	COUNT AS OF 6-30-2022	COUNT AS OF 7-31-2022	INCREASE OR DECREASE AS OF 7-31-2022	
RES	781	793	12	
SUB TOTAL	781	793	12	
POWEPACK DISCOUNT	COUNT AS OF 6-30-2022	COUNT AS OF 7-31-2022	INCREASE OR DECREASE AS OF 7-31-2022	
RES	301	295	-6	
SUB TOTAL	301	295	-6	
TOTAL CUSTOMERS RECEIVING REWARDS	1082	1088	6	

Lines, Internet, Power Pack and PCS Rewards FISCAL YEAR FY 23 (JULY 1, 2022 THRU JUNE 30, 2023)



The above totals are month ending reporting. For instance July totals are for month ending July 31st, August 31st, September 30th, October 31st & November 30th etc

Department Update

Pineville PLANNING & ZONING

To: Town Council

From: Travis Morgan

Date: 8/22/2022

Re: Town Planning Updates

PLANNING:

Restaurant: Loretta's coming to former Fox and Hound location in Hwy 51.

Johnston Dr Alignment: Awaiting NCDOT endorsement of low bid. Action item for council to award bid contingent on NCDOT and statutory requirements.

S Polk/Lancaster Sidewalk: Expected incoming monthly invoices and CDBG reimbursement.

10000 Pineville-Matthews: Crossfit moving into this building and doing renovations and site improvements.

Blacklion: Has been sold expected to close after holiday season in favor of a renovation into medical office and other commercial spaces for lease.

Future Development Potential: Lakeview/Lynnwood by right subdivision acre lots, Paul Gross property opposite the Police department mixed used development anticipated, Carolina Village wooded property adjacent to The Pines expected multi-family development.

CODE ENFORCEMENT:

High Weeds and Grass: 10020 Rodney St 292 Eden 1108 Lakeview 1016 traditions 517 cranford 902 lakeview 230 eden 216 eden 505 fisher 10725 industrial 8720 P-M 12606 ballyliffin 4917 grace view 12935 dorman Jared 10619 lighthouse 2323 glen way trail 903 lakeview	Dumpster: 105 s polk Community Appearance/Junk Vehicle: 11301 Treebark Dr Junk Car 105 S Polk Signs: Meadow Creek Apts 105 s polk 12601 rock hill-pineville rd 10729 Park rd 8332 P-M rd Parking on Sidewalk: Stratfield Atwell Glen Stockdale Graceview Green Birch	Parking on the lawn: Commercial vehicles: Don Pedro's 10914 Copperfield
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Human Resources

Linda Gaddy, PHR SHRM-CP MSHR
lgaddy@pinevillenc.gov
(704) 889-2362

To: Ryan Spitzer, Town Manager
Members of the Town Council

From: Linda Gaddy

Date: 8/18/2022

Re: Human Resources Monthly Report
Ryan,

Enclosed is the Human Resources Department Monthly Report for the month of July 2022.

New Hires:

Breanna Brown, 911 Telecommunicator

Resignation:

Steven Brown, Firefighter Driver

Matthew Woodrow, Police Corporal

Retirements:

None

Transfers:

None

Promotions:

none

Current Openings:

Parks & Recreation-F/T Park Maintenance Technician, interviewing

PCS Telecommunications, Systems Technician Apprentice, accepting applications

Police: 911 Telecommunicator, offer accepted, Shannon Powell

Parks & Recreation, PT Park Aide, offer extended – Richard “Trace” White

Firefighter/Driver, interviewing

Departmental Update:

COLA:

Cost of living increases went into effect for all staff.

Employee appreciation:

We are creating a plan to have each department (or team) conduct fun, team-building events in the coming months. The event venue and date for the annual Holiday Party is reserved for December 22, 2022. Planning of details for the party will begin in the next month.

Performance Reviews:

This year's round of annual reviews for all employees, exclusive of sworn officers is in progress. Sworn personnel will continue to have their evals on their anniversary date throughout the year. The rest of the staff are being evaluated, with any accompanying merit increases to take effect the 1st of Sept.

COVID Policy:

An update has been drafted. This policy has not been updated for a long time. Badly in need of wording, terminology and current guidelines updates to reflect current CDC guidance.

Organizing:

H.R. Assistant, Kayla has been organizing and creating ways of better tracking human resource tasks and activities, cleaning up forms, and making suggestions for streamlining some processes. Preparing to move to new offices is further helping her become familiar with the scope of responsibilities and programs that our H.R. Department supervises. She will be instrumental in organizing everything in our new offices and our new file storage room. There is a lot of old paper files to reduce or scan electronically in our effort to reduce and become less dependent on paper.

Safety Highlights:

Public Works received a check for ½ of the cost of a Tommy Lift Gate for one of the trucks from the NCLM Safety Grant program. This is the second one that they were able to purchase with assistance from a grant. They use these to safely load and unload equipment and supplies onto the trucks.

The annual hearing tests will happen on Aug 23rd, as well as an inspection planned in September for Public Works to renew its SHARP certification with OSHA.

September

2022



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 Holiday	6	7	8 10:00 Ribbon-Cutting	9	10
11	12	13 6:30 Council Mtg	14	15	16	17
18	19	20	21	22	23	24
25	26 6:00 Work Session	27	28	29	30	